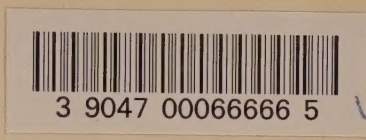

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SUTTER'S GOLD

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SUTTER'S GOLD

by

BLAISE CENDRARS

Translated from the French by

HENRY LONGAN STUART

GROSSET & DUNLAP
Publishers New York

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SUTTER'S GOLD

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THE DECORATIONS
IN THIS BOOK
HAVE BEEN DESIGNED AND
CUT ON WOOD BY
HARRY CIMINO

FOREWORD

San Francisco.

It is there that you will hear the story of General Sutter, who conquered California for the United States.

Of the multi-millionaire who was ruined when gold was discovered on his property.

You have often hunted in the valley of the Sacramento, and over the same country where I worked, clearing the land.

—Blaise Cendrars, *Panama, or the Adventures of My Seven Uncles*, 1914.

Another interesting story is that of the nine hundred millions, mentioned in the *Panama Case*. Also the history of General Sutter, which I will write one day, or which I will undertake here, if I have not published it in the interval.

—Blaise Cendrars, *Pro Domo*, 1918.

SUTTER'S GOLD

Chapter One

I

DAY was nearing its close. Spade and hoe over their shoulders, or basket on arm, the peasants were straggling in from the field. Young girls in white bodices and pleated petticoats led the procession. Holding one another round the waist, they sang in chorus:

"Wär ich ein Vöglein klein. . . ."

At the open doors the patriarchs of the village puffed on porcelain pipes. Women were knitting long white stockings. They

were drinking in front of the "Wild Man" —a thin sour wine of the country, out of china mugs decorated with a bishop's crozier surrounded by seven red stars. As they drank they spoke, in sober level voices and with an economy of useless gesture. The subject of every conversation was the hot weather, a record for so early in the year and a danger for the tender crops.

It was May 5, 1834, at Runenberg in the canton of Basle. On the square a little Savoyard was turning the handle of his organ. A group of ragamuffins surrounded him, kept at a civil distance by an angry monkey. One of them had just been bitten. The last rays of the sun gilded the ancient house-fronts. From every chimney a straight plume of smoke rose toward the cloudless sky. Afar off, somewhere in the plain, the creak of a wagon.

Suddenly the peace of these tranquil peasants was shattered by an incident. A stranger had arrived by the road from Soleure. Even at midday a stranger is a rare apparition at Runenberg. But a stranger who arrives at such an unheard-of hour as this, when the sun is sinking behind

the mountains! What is to be thought of him? The women let their knitting fall on their laps. The drinkers set down their mugs and narrowed their eyes as they looked toward the intruder.

He had stopped at the first house in the village and had asked to be directed to the municipality. It was old Buser to whom he spoke. Turning his back brusquely, Buser seized his little grandson Hans by the ear and ordered him to take the gentleman to the syndic's house. Having done this, he went on filling his pipe, keeping one eye upon the stranger, who strode off up the street, his little guide trotting ahead. He reached the syndic's office and disappeared within its doorway.

The villagers had had time to take due heed of his appearance. A tall, thin man, not old, but with a face already ravaged. Queer wisps of straw-colored hair escaped from under the brim of his silver-buckled hat. He wore hobnailed shoes and carried a thick blackthorn stick.

Tongues began to buzz. "These strangers don't even give you a good-day nowadays!" This from Buhri, the host of the "Wild

Man," his hands clasped across his enormous belly. "I tell you he's one of these city folks," old Siebenhaar insisted. Siebenhaar had been a soldier in France. For the thousandth time he began to expatiate upon the strange things and the eccentric people he had seen in the country of "die Walche." What the young girls had remarked was the queer Quakerish cut of the stranger's long coat and the long points of his collar, which looked as if they would saw off his ears. Blushing and giggling, they whispered to one another. The young men had drawn together around the fountain with an air of being prepared for any eventuality.

Presently the newcomer reappeared. His hat was in his hand. He seemed very hot and very tired. He mopped his forehead with his handkerchief, one of those big yellow affairs that are woven in Alsace. As he came out the little lad who had been his guide jumped to his feet, scared to death. The stranger tapped his cheek, thrust a thaler into his hand and crossed the village square in a score of great strides. As he passed the fountain he spat in its basin.

The drinkers had risen to their feet. But

the stranger did not deign them a glance. He swung himself into the little carriage by which he had arrived and disappeared along the road, bordered with ash-trees, that leads to the county seat.

This sudden apparition and no less sudden departure threw the village into indescribable confusion. The child began to cry. The coin the stranger had given him passed from hand to hand. A violent discussion broke out. Every tongue was unloosed. Among the most heated was mine host. It was nothing less than a public scandal, he asserted, that a stranger should not find time to empty a mug of wine. He suggested having the alarm bell rung and a hue and cry raised.

The news soon spread that the stranger had demanded a certificate of origin and a passport, being about to undertake a long journey abroad. The syndic, who did not know him and had never seen him, had refused both. His prudence was loudly commended.

At eleven o'clock next morning the fol-

lowing dialogue took place. Its scene was the office of the secretary of police, at Liesthal, the chief town of the canton of Basle.

The old clerk of the court: Will you visé a passport for France in the name of Johann August Sutter, native of Runenberg?

Police-secretary Kloss: Has he a certificate of origin, signed by the syndic of his commune?

The clerk: No, he hasn't. But his father was a friend of mine and I answer for him.

Kloss: He'll get no passport from me. The chief is away at Aarau. When he comes back he can do as he pleases about it.

The clerk: Come, come. You exaggerate. I tell you his father is an old friend of my own. What more do you want?

Kloss: My dear Gabis, I want to do my duty. That is all that interests me. I make no passport out without a certificate of origin.

Late that evening a warrant for the stranger's arrest arrived from Berne. But the fugitive had already crossed the Swiss frontier.

II

Johann August Sutter had just deserted his wife and four children.

He crossed the Swiss frontier below Mariastein. Skirting the forest, he gained the mountains beyond the town. The weather was still close, with a broiling sun. He reached Ferette that evening, just as a violent storm was breaking, and passed the night in an empty outbuilding.

Next day he was afoot before dawn. He turned southward, avoiding the town of Delle, crossed the Lomont, and gained the Doubs country.

He had tramped more than twenty-five leagues in one day. Hunger gnawed his stomach and he had not a sou in his pocket. The thaler he had given the urchin at Runenberg was his sole remaining piece of currency.

For two days he wandered about in the deserted pastures of the Franches-Montagnes, prowling at night about the farms, but kept at a distance by the baying of savage dogs. One evening, however, he contrived to milk a cow into his hat and gulped

down the warm, foaming fluid greedily. For forty-eight hours he had tasted nothing but tufts of sorrel or the juice of wild gentian. The day on which he found the first wild strawberry of the year was a date he never forgot.

III

Johann August Sutter, at this crisis of his life, was thirty-one years old.

He was born February 15, 1803, at Kandern, in the Grand-Duchy of Baden.

His grandfather, Jacob Sutter, was the founder of a whole dynasty of Sutters, paper-makers, who figure largely on the registers of the church of Kilchberg, at Basle. Jacob had left the hamlet of Runenberg at the age of fifteen, to become an apprentice in the city. Ten years later he was one of the biggest paper manufacturers of Basle, and his business among the little university cities of south Germany had developed so greatly that he founded a new factory at Kandern. Hans Sutter, father of Johann, was its chief.

All this happened in the good old days of the corporations, when the master still

signed contracts of one hundred and one years with his employees, and when his wife, as spring came round, brewed the herb tea that master and men drank in common. Trade secrets passed from father to son, and as the business grew, new enterprises, all somehow connected with the manufacture of paper, such as printing, book-binding and book-selling, publishing and paper-staining, became the inheritance of their numerous children. Each generation, by specializing its enterprises, increased the volume of the ancestral trade, whose trade-mark soon became familiar throughout Europe.

An uncle of Johann August, Frederick Sutter, for instance, had made a specialty of the printing and distribution of revolutionary pamphlets. Enormous consignments were smuggled from Switzerland into Altkirch and Strasburg. His industry in this field had procured him the honor of a trip to Paris, where, under the title of "the famous colporteur" he was present during the Terror of 1793 and 1794. He has left an account of his experiences, full of interesting and little-known matter. To-day one

of the last descendants of the famous old paper manufacturer, Gottlieb Sutter, conducts a bindery at Basle. His place of business is on the tranquil old square where little maids from school still dance with joined hands around the statue of the poet-peasant singing:

"Johann Peter Hebel
Hat zwischen den Bein' ein Knebel
Und dass man ihn besser fassen kann
Hat er zwei grossen Knollen drann."

His is a small, dark shop. Gottlieb, an eccentric character, busies himself with strange sects, haunts religious meetings, and evangelizes the jailbirds in the local prisons. He changes his religious convictions with his shirt and pummels his children. Often he spends his days at the cabaret, soliloquizing into his tumbler. Since the days of the great general, all the Sutters have been this way more or less.

IV

A mile from Besancon. Johann August Sutter is cooling his blistered feet in a little brook. He is sitting on a bank that is bright

yellow with buttercups, thirty yards from the post road.

Half a score of young Germans who have been resting in a little purple wood see him and hail him gayly. It is a jovial band, on its way to seek fortune in France, skirt-rufflers and hard drinkers to a man. One is a jeweler, another a metal worker; there is a butcher boy and there is a groom. They are in their shirt sleeves and carry their worldly goods in a bundle slung over the end of a stick. Introductions are exchanged. Johann joins them readily, giving his own occupation as working printer.

In this joyous company Sutter arrives in Burgundy. One night, while his comrades are sleeping soundly after a carouse, he robs two or three. One he leaves without a coat to his back or a pair of breeches to his legs.

The next day he is speeding on the road to Paris.

Penniless in the French capital, he does not hesitate. He betakes himself to a paper merchant in the Marais quarter, one of his father's most trusted customers, and negotiates a forged letter of credit. Half an hour later he is in the coach office of the Messa-

geries du Nord. He passes through Beauvais, Amiens, Abbeville. At Abbeville the master of a fishing smack takes him aboard for Hâvre.

Three days afterward, at Hâvre, guns are firing, bells ringing. The quays are black with people. The steamship *Esperance*, paddle-wheeled and square-rigged, sails proudly from the port and rounds the jetty. It is her first voyage and her bow is pointed for New York.

On board is Johann August Sutter, bankrupt, fugitive, tramp, vagabond, thief, and forger.

He is carrying his head high and sipping a glass of wine thoughtfully.

In the fog and spray and choppy sea of the British Channel he vanishes from our ken. In his own country men soon forget him. For fourteen years no word of him reaches his wife. And suddenly, from end to end of the earth his name is pronounced with wonder and amazement.

Here begins the incredible history of General Johann August Sutter.

It is Sunday.

Chapter Two

I

THE Harbor.

New York Harbor.

1834.

All the flotsam and jetsam of the Old World is disembarking—ship-wrecked men; unhappy men; discontented men; free men and escaped men; men on whom fortune has frowned; men who have staked everything on one card and lost; men whose lives a romantic passion has uprooted. The first German socialists and the first Russian mystics rub

shoulders. Ideologues with the police of Europe on their heels. Liberals whom reaction has banished. Craftsmen out of work, the first victims of the industrial system. French Fourierists, carbonari, the last disciples of St. Martin, philosophers with no disciples. Scotchmen. Generous souls, heads as hollow as kettle-drums. Calabrian brigands, Greek patriots. Peasants from Ireland and Scandinavia. Individuals and whole peoples whom the Napoleonic wars have bled and diplomatic congresses sacrificed. Carlists, Poles, Hungarian partisans. The illuminated of all the revolutions of 1830, and the last liberals, who have left their own country to gain the sympathy of the Great Republic. Workers, soldiers, merchants, bankers from every country, even South America. Old companions of Bolivar. Twenty-seven years more and Lincoln will be elected President. In full growth, in unceasing expansion ever since the Declaration of Independence, ever since the French Revolution, never yet has New York witnessed such an invasion upon her waterfront. By day and night the emigrants disembark. On every boat, amid

every human cargo, is one representative at least of the hardy race of adventurers.

Johann August Sutter lands on Tuesday, July 7. He jumps upon the quay, dodges the police, throws a backward glance which embraces the vast horizon of the sea, uncorks and drinks a bottle of wine, flings the empty bottle into the midst of a black crew on a Bermuda barque lugger, and bursts into Homeric laughter. Then he plunges into the crowd of the vast unknown city. He is running. You would think he had an appointment and was late.

II

"Look here, my dear fellow"—it is Paul Haberposch, and he is speaking to Johann August Sutter—"what I offer you is a cinch. Food, lodging, laundry—clothing even. I have an old driving-coat with seven capes that will simply take away the breath of the Irish emigrants. You won't find anything else as good as what I'm offering you. Between ourselves, you can't speak the language, and that is where the coat comes in. These Irish are all good fellows, limbs of the devil, fallen naked out of heaven. All

you've got to do is to keep your ears open and let them wag their goddam tongues, which are never still a moment. I'll guarantee that before a week is up you'll learn so much that you'll leave me to enter Holy Orders. An Irishman doesn't know how to keep his mouth shut. But what you've got to do while he's unloading everything he has in his stomach is to feel him gently till you know whether he has a double stomach, like the red apes, or whether he's as constipated as an old woman. I give you my driving-coat, a gallon of Jamaica rum—for you must always offer an Irishman a drink the minute he gets off the ship—it's the proper way to say 'how d'yedo' among fellow-countrymen—and this little knife no longer than your elbow. I invented it myself. Look at it. You see, it has a flexible blade and a secret spring. Press it! There, you see! Three little prongs which come out at the end of the blade. Pretty slick, don't you think? . . . Certainly it's my own invention. When I was traveling in the Levant there was a devil of a French surgeon aboard who used to call it my 'thermometer.' Well, I am trusting you with my

thermometer, because I like you, my boy. I'll bet your mother wasn't disappointed when she first saw you. There's two things you must be particular about. Keep your buttons polished and don't forget to flash the rum bottle. Remember the proverb, 'Blood will tell.' Why, with your hair in dog's ears, your buttons shining like dollars won in a crap game, they'll take you for the Archbishop of Dublin on the day of the Great Jubilee, and, with their European ideas, they'll follow you here like lambs. But mind you, no dead heats in this game! If you let that devil of a Dutchman over the road get to them first, look out for squalls. And just one word more. When you've brought me one of those Irish sons of misfortune, the best thing I can wish you is that you never run across him again in your life—not if you live a hundred years. And now that you're all fixed—hit the grit!"

"There are good pipes and leaky pipes. What I am going to teach you is how to make bacon out of a pig."

It is Hegelstroem speaking this time.

Hegelstroem, the inventor of Swedish matches. Johann August Sutter is his messenger, packer, and bookkeeper. Three months have elapsed. Sutter has left the neighborhood of the waterfront and penetrated further into the city. Like everything in American civilization, he is moving slowly Westward. Since his meeting with the old pirate Haberposch, he has already carried on two or three different trades, each of which takes him farther uptown. He works for a draper, for a druggist, in a delicatessen store. He enters into partnership with a Rumanian peddler. He is ringmaster in a circus, blacksmith, dentist, taxidermist. He sells Jericho roses from a gilded wagon. He starts a ladies' tailoring establishment, works in a sawmill, boxes a giant negro, and wins a slave and a purse of a hundred guineas, starves, teaches mathematics at a mission school, learns English, French, Hungarian, Portuguese, Louisiana-negro patois, Sioux, Comanche, Spanish, and slang. He crosses the water and opens a saloon in the suburbs. At Fordham, among the carters and wagon-drivers who drink at his bar and tell him their thousand

and one stories of the great interior, a solitary and silent drinker comes from time to time. His name is Edgar Allan Poe.

Two years slip by. All that Sutter has heard, seen, and learned is fixed indelibly in his memory. He knows New York by heart—the little old streets with their Dutch names, and the great arteries for traffic that are being traced and numbered. He is awake to what is going on in the world of commerce and upon what the prodigious fortune of the city is being reared. By sheer dint of drinking whisky, brandy, gin cocktails, rum, quinquina, pulque, and aguardiente with all the forlorn hopes of pioneering just back from the interior, he has become one of the men best acquainted with the legendary territories of the West. He has more than one itinerary in his head; he knows of several gold mines; he is the only man familiar with certain lost trails. More than once or twice he risks money upon distant expeditions or upon the word of a certain guide. He knows the Jews who finance such things and who outfit enterprises of this nature. He knows who the officials are who can be "bought."

And he gets to work.

Prudently at first.

He becomes a partner "for one trip only" with some German merchants and leaves for St. Louis, the capital of the state of Missouri.

III

The state of Missouri is one half as big as France. Its sole means of communication is by the immense Mississippi River. The chief watercourses of America empty their volume into the Mississippi. Greatest of them all is the Missouri, up which towering paddle steamers thrash their way for 1,800 miles, and whose waters are so pure that eighteen miles after the junction of the two rivers they can be distinguished clearly from the muddy, turbid waters of the Mississippi. Hardly less important is another stream, no less clear and limpid, the stately Ohio. Between low banks, covered with primeval forest to the very rim, these three rivers roll on majestically to their rendezvous.

By these giant arteries of traffic the populations of the Eastern and Southern states,

growing rapidly in bulk and feverishly agitated, are put into communication with the unknown and illimitable territories which stretch away to north and west. More than eight hundred steamboats annually make St. Louis their port of call.

Slightly above the capital, in the fertile delta formed by the junction of the Missouri and Mississippi, Johann August Sutter buys land and becomes farmer.

It is a beautiful and fertile country. Maize, cotton, and tobacco flourish. To the north are great fields of wheat. All these products descend the river toward the warmer states. Day by day they are rationed out to the negro slaves who work in the fields of sugar cane. The profit is immense.

But what interests Sutter beyond aught else are the stories brought him by travelers who pass up and down the rivers. He keeps open house. His table is always laid. A sloop manned by black slaves accosts every passing ship and guides it to the jetty. His welcome is always warm. His house is never empty. Pioneers, colonists, trappers loaded with furs, luckless adventurers, one and all are only too ready to enter it and

refresh themselves after the fatigue of the prairies and backwoods. Many and many a foolhardy fortune-seeker, the fever of gold in his eyes, suspicious and close-mouthed, is among his guests.

Sutter does not know what weariness means. Night after night is spent by him, drinking, talking, asking questions.

In his own mind he makes a sort of balance sheet of all these tales of wonder, classifies, compares, discounts each. His memory is prodigious. There is not a name, be it of mountain, lake, or plain, that he does not store away in his head—the Dry Tree, the Three Horns, Danger Ford. . . .

One day a sudden illumination reaches him. All these chance-met men who have passed through his house—boasters, liars, crooks, and gamblers though they be, loose-mouthed and close-mouthed alike—have used one word which lends grandeur to their stories. Those who talk too much and those who say too little, braggarts or cravens, hunters, outlaws, traders, colonists, and trappers—all, all, *all* alike speak of the West, really speak of nothing but the West.

The West!

Word of mystery!

What is it—this West?

Here is the notion of it that lies in Sutter's head.

From the valley of the Mississippi up to the foothills of the giant range that stretches far, far away to the West, are immense territories, infinite miles of fertile plains, infinite miles of arid steppes.

The prairie!

Home of numberless tribes of red-skinned warriors, of bison in herds that drift back and forth like the tides of the sea.

But farther—farther still?

There are Indian legends of an enchanted land—of towns built of gold, of women who have but one breast. Even the trappers who come down from the north with their bundles of pelts have heard tell in their high latitudes of marvelous lands in the West where trees are laden with apples of gold and pears of silver.

The West? What is it? What does it offer? Why do so many men turn their faces toward it who never return? Many are killed by the redskins; but those who escape? Many die of thirst; but those who

get through? Many are halted by the mountains; but those who scale the crest? What lies before them? On what do they gaze? "Why do so many men who pass through my establishment start for the north and yet, once they find themselves in the desert, turn irresistibly toward the West?"

Many, it is true, are attracted by Santa Fé, that colony of Mexicans settled amid the Rocky Mountains. But these are mere traders, enticed by the prospect of easy profits, who never dream of what may lie beyond.

With Johann August Sutter to think is to act.

He sells his farm for what it will bring—turns everything into currency. He buys three covered wagons, loads them with merchandise, mounts on horseback armed with a double-barreled shotgun. He joins a company of thirty-five traders who are bound for Santa Fé, eight hundred miles away.

But the caravan is badly equipped, its organization poor, and the partners a pack

of wastrels. Sutter would have lost every cent if he had not separated himself from them and settled down among the Indians, on the very edge of civilization, trading and bartering.

It is among these Indians that he learns of another land that stretches far, far to the west, on the farther side of the Rocky Mountains, with a vast sandy desert lying between.

At last he learns its name.

California!

To reach this land of fable he must return to Missouri.

He is a haunted man.

Chapter Three

I

IT is the month of June, 1838, at Fort Independence, on the western border of Missouri, on the banks of the river that gives the state its name.

The caravans are preparing to start.

Beasts and merchandise are mingled in a confusion seemingly hopeless. All the tongues of Europe are arguing and scolding. Germans, Frenchmen, Englishmen, Spaniards, Indians, and Negroes jostle and fight.

On horseback, in wheeled carts, in long strings of covered wagons each drawn by

twelve yoke of oxen, the convoys get slowly under way. Some push off alone, others keep together in strong parties. There are men on their way back to the Union; others are leaving it, headed southward for Santa Fé or northward to the great pass that cleaves the mountain ranges.

There are a handful of pioneers in restless search of fertile lands—of some corner which will be their new home. But these are few. The vast majority are traders, hunters, or trappers, equipped for the arctic cold of the Hudson Bay territory. Should they succeed in reaching the banks of the great frozen rivers to which no man has yet given a name, rivers whose banks swarm with beaver and sable, lynx and arctic fox, they will return within three to seven years. As for the traders, they look to be back in twelve months' time to renew their stock.

A small party whose destination is less obvious attracts the attention of all. It is composed of Johann August Sutter, of Captain Ermatinger, of five missionaries and three women. The garrison of the fort fires a salvo in its honor as it sets out. It is headed due west and its goal is California.

II

During the three months spent at Fort Independence, Johann August Sutter was slowly maturing his plans.

His resolution is now taken. He will go to California.

He knows the trail as far as Fort Vancouver, and unless certain information which he has procured is false, he can follow it farther.

As yet California has not attracted the attention of the United States, far less of Europe. But it is a country of incredible richness. The Republic of Mexico has already laid rough hands upon the treasures accumulated during centuries by the Mission fathers. Its territory, its cultivated lands, unnumerable herds of cattle and sheep, lie at the mercy of a *coup de main*.

To succeed one must dare.

California challenges a conqueror, and Sutter is ready.

III

The trail stretches for thousands of miles. Strung along it at intervals of a hundred

miles are wooden forts surrounded by a palisade and armed with cannon. Their garrisons are continually on the alert. War with the redskins is a war of atrocities. No quarter! Woe to the hapless party that falls into an ambuscade of the scalp-hunters.

Sutter has no hesitation.

Mounted on his mustang, Wild Bill, he gallops in the van of his convoy, whistling an air from "The Carnival of Basle" between his teeth. His memory goes back to the little urchin at Runenberg to whom he had given his last thaler. He reins in his horse. "Heads or tails." The doubloon spins toward heaven like a mounting lark, Heads to win; tails—to lose. It falls flat upon his open palm.

Heads!

He spurs his horse forward, full of a new confidence. This was his first hesitation. It will be his last. From now on—forward to the goal.

His companions are Captain Ermatinger, an officer who is to relieve the commandant at Fort Boise; five British missionaries sent out by the Bible Society of London to study the Cree dialect north of Oregon; and three

white women. All are to be dropped *en route*. Sutter will go on alone—unless the three women decide to accompany him.

IV

The trail follows the right bank of the Missouri, then turns sharply to the left and for four hundred miles keeps along the western border of Nebraska. It begins to climb the Rockies near Fremont Peak, which is 13,790 feet high, or 2,000 feet less above sea-level than Mont Blanc.

Our travelers have been following it for three weeks. They have ridden over prairies flat and limitless as the sea, an ocean of grass. Storms of an incredible violence break over their heads every midday and rage for a quarter of an hour, after which the sky clears and becomes once more a vault of blue, harsh and metallic where it touches the green fringes of the horizon.

At night they camp beneath a waxing moon sentineled by one luminous star. Sleep is impossible. A dense swarm of mosquitoes surrounds each head. Night is clamorous with a vibrant chorus of toads and bullfrogs. Coyotes yap and howl.

Dawn, the magic hour of birdlife. The two changeless notes of the wild partridge. Horses are saddled. The trail unrolls behind under the unshod hoofs of the party. The rifle is in the crook of every arm, every eye alert for game. Now and then a buck bounds across the trail. Behind their backs the sun, round as a great orange, soars toward his zenith.

Panting from the ascent, they stand at last upon the top of the vast fissure through the southern chain called Evans Pass. They are now on the summit of the great rampart which separates the United States from the territories of the West, at 7,000 feet above sea level, and 960 miles from Fort Independence.

Forward!

From where they stand to where the Oregon debouches upon the Pacific there are more than fourteen hundred miles to traverse.

And the trail has come to an end.

On August 1st, they arrive at Fort Hall.

The commandant urges them to go no farther. The redskins are on the war-path. But Sutter is stubborn. They have come safely through the territory of so many hostile tribes! They set out again on August 4th. An escort accompanies them for the first three days of their route.

On August 16th they are at Fort Boise, a big trading post of the Hudson Bay Company. Captain Ermatinger leaves them here and rejoins the forces. Two of the three women enter the service of the company. The remnant of the little party continues its march through a country infested with Kooyutts. Famine has been raging, and although it is not the hunting season the Indians are spearing for salmon. The rivers are full of their canoes. They scowl menacingly at the travelers.

Sutter and his companions traverse the country of the giant trees and arrive, toward the end of September, at Fort Vancouver, the great center of the fur trade. The missionaries are at their journey's end. The third woman has died of hardships along the route.

V

In those days a man of determined character was always welcome in a frontier post at the edge of the American continent. Sutter is not afraid of man or devil. All sorts of advantageous proposals are made him. A prey to his fixed idea, he turns them down one after another.

He wants to go to California.

But how?

With his goal almost within his reach, new and insuperable obstacles rise up before him.

On one point all are agreed—the journey by land is impossible. The Apaches are on the war-path. Within the past few weeks adventurous hunters who had risked themselves in the mountain valleys of the Cascades have been massacred to a man. There is but one way to California—the sea, But there are no sailings, and navigation along the unknown coast is a perilous feat. It is true that a fast clipper ship can do the journey in three weeks.

Sutter asks no more. He haunts the waterside. A three-masted schooner is at

anchor in the estuary. It is the *Columbia*, bound for the Sandwich Islands. The journey across the Pacific in such a frail bottom is a risky matter. But Sutter is not afraid. All roads lead to Rome, as old Father Haberposch was fond of quoting. Sutter accosts the skipper, arranges for his passage, and on November 8th, when the *Columbia* clears the bay, he is making his deck cabin shipshape for the voyage.

Chapter *Four*

I

UTTER is hammering in a nail on which to hang his bark hammock. As he raises himself upon the points of his toes, a trouser button, unable to bear the strain, flies off and rolls across the deck. It is a copper button. A terrible yellow dog jumps for it and retrieves it in his mouth. Beppo, or Beppino, is a sort of mongrel sheep-dog, the property of poor Maria who died of fatigue under the cotton woods on the banks of Snake River, in Idaho.

Maria was a Neapolitan. All that Sutter has gained in four years of American life is this half-breed circus dog who walks on his hind legs and smokes a pipe with the sailors.

The long voyage is without incident.

Full sail is clapped on and a course is steered SSW.

November 30. At about five o'clock the sun sets in an ominous bank of gray. Heavy black clouds mass themselves. Next day the sky clears. The fore staysail and storm jib are again hoisted.

December 4. At dawn the wind is blowing great guns and a high sea is running. By eight the storm is at its height and the deck continually awash. The water pours into the steward's cuddy, ruining four months' stores of biscuit, potatoes, rice, sugar, dried fish, and bacon. The eight men of the crew are on duty day and night. When day breaks the repairs hastily made during the night are completed. The damage is considerable. The bitts staying the bowsprit have been carried away. By means of a block and tackle temporary stanchions are installed and the bowsprit stayed as firmly as possible. At eleven o'clock at night of

the second day the wind falls and shifts brusquely to north-east, accompanied by rain and squalls. Sail is taken in and the *Columbia* tacks. The squalls succeed one another all night.

The 7th of January passes without incident save for the passage of a big sperm whale toward evening. Dolphins and tunny-fish disport themselves alongside. The waves are no longer so high, but a boring sea is running and continually breaking over the bows. Everyone is drenched to the skin.

On February 11th numerous beds of floating seaweed are passed.

On the 27th the region of calm sea has been reached. But the *Columbia* continues to make water and all hands are at the pumps. Numerous flying-fish fall upon the deck.

Pumping is very hard work. The *Columbia* is making water at her bows, and the galley fire is put out.

A strong easterly current is encountered. This is the famous Humboldt current, which runs northward after skirting the coast of Tierra del Fuego and Chile—a vast refrig-

erating mass, a thousand meters in depth, and an exact antithesis to the more familiar Gulf Stream.

On March 5th the *Columbia* again lies to. The leak is at last fothered and all hands are lounging on deck. Sails are being slung to catch the rain which is anxiously expected by night, for the butts are bilged and the crew are on short drinking rations.

A Lascar is talking: "I never saw colored folks so well dressed as at Para. The negresses and mixed bloods make themselves smart by sticking great tortoise-shell combs in their wool and covering them with flowers and feathers. They have low-cut dresses with long trains and always wear gaudy colors. There's a country now where there's always something doing."

Sutter is in his hammock. Beppo the dog, is smoking. A game of tric-trac is going on nearby and an enthusiastic little cabin boy is swinging the hammock gently to and fro.

At midnight the rain so long expected falls in sheets. Wafted by gentle winds, the *Columbia* passes between an archipelago of islands. The moon is at full and from his hammock Sutter watches the groves of

palm trees and catches the scent of the flowering latanias.

He is enchanted with his long voyage.

Grandiose projects are taking shape in his brain. He has not lost a moment of his time on board and has acquired a mass of knowledge which he means to put to speedy use. He has had long talks with captain and crew; he is familiar with the manners and customs of California, the resources and needs of that primitive country. These rude sailors have been there time and again to take on cargoes of lumber, hides, and talc. But in their minds the two sides of the Pacific Ocean are all one. They traffic with the American Indians and the islanders impartially. They have to do with the Spanish missionaries of Monterey quite as often as with the American missionaries at Honolulu. Sutter begins to realize what a future lies before this vast portion of the globe, whose resources have as yet hardly been tapped. As his schemes grow bigger they take a more definite shape. It is something that surpasses imagination and yet is quite possible. Realisable, in a word. There is a place quite simply waiting to be taken by

some one. A *coup d' état?* Well, he has a strong taste for such things, and the energy to put them through.

Meantime he makes an inconspicuous landing in the capital. He makes his way to the factory and presents the letters of introduction which have been given him by the officials of the Hudson Bay Company at Fort Vancouver.

His reception is all that could be wished.

II

Honolulu is a very busy place indeed.

The bulk of its population is composed of maritime adventurers, mostly deserters from whaling vessels. Naturally, every race under the sun is represented among them, but the Basque and Yankee predominate. In every circle Sutter is received with open arms. He even has the good luck to run across some old acquaintances from New York. Under their auspices he takes a share in certain speculations in copra and mother-of-pearl, large cargoes of which are anchored in the offing, and is lucky enough to realize quite a respectable profit.

It is about this time that the idea enters

his head of employing forced Kanaka labor. Laborers are urgently needed if California and the vast territories of the West are to be exploited. Africa is too far away and too sharp a lookout is being kept upon slave-ships in the Atlantic. No profit there! There is something that appeals to Sutter in giving the laugh to the International Regulation and avoiding the right of search by starting a slave trade of his own in these uncharted seas. The Pacific is to be made self-supporting. Incidentally the islanders are to be shanghaied.

He imparts his scheme to his partners, whose imagination he has already fired by vague allusions to vast schemes for the future in California. That very evening, in a bar, the articles of association of Sutter's Pacific Trade Company are signed. The house flag of the corporation is to be a black bishop's crozier surrounded by six red stars on a white field. As his share of capital Sutter pays in 75,000 Dutch florins. The first consignments of Kanakas are to be *en route* in eighteen months at the latest. They are to be landed at a spot which Sutter indicates in confidence. In the articles of part-

nership he designates his future possessions under the general title of New Helvetia.

An orgy of cocktails follows the signing of the document.

So far, so good! It is now time to take thought about his departure for the land of promise.

It is not an easy matter, and Sutter is in a hurry.

III

No ship is in harbor that makes the Mexican ports or that is willing to take him on board for San Diego. But there is a Russian vessel about to weigh anchor for Sitka.

Sitka is a Russian trading-post on the American coast, at the extreme north of the Pacific. The Russians at this time, making Kamchatka their zone of operations, are establishing several posts on the American littoral. In the north the imperial enterprises are beginning to clash with the growing power of the United States. But in the south they have already reached Mexico and have many colonies scattered along the sea-

board. Russian schooners make regular trips between Sitka and Mexico.

Sutter is not long making up his mind. He embarks for the Aleutian Islands. Already he is on the best of terms with the Russians and confident of their support. But Sitka is not his goal. He leaves it at the very first opportunity.

On board a quick-sailing schooner he runs along the Alaskan coast southward, crosses the big whaling-grounds, passes the mouth of the Oregon in the distance, keeps southward still and finally sets foot on the deserted beach of San Francisco.

Sutter is alone.

The high waves of the Pacific Ocean run up the strand and sink into the sand at his feet. The vessel which brought him here is already disappearing below the horizon, tacking for Monterey. Hissing and frothing, the long parallel lines of the waves succeed one another with monotonous regularity. Above tide water the beach is gray in hue. Pounded by centuries of heavy sea into a tough consistency that makes walking a

pleasure, it stretches away right and left as far as the eye can reach. A matted plant with long tough stalks grows here and there. Flocks of gulls are ranged in rows, awaiting the flood tide which brings them their food. Other birds, whose name he does not know, scurry swiftly along the beach, their necks outstretched in a line with their bodies. Sea swallows are swooping and rising. Small black birds, two and two, walk slowly back and forth. Another unfamiliar bird, with dark-gray feathers mingled with feathers of a lighter color, has a long horizontal aigrette behind its head.

As Sutter walks he crushes a number of soft-shelled mollusks. They are the color of a pink rose and pop loudly when trodden underfoot.

Chapter Five

I

CALIFORNIA, after its discovery, became the property of the Spanish crown. It formed one of the provinces of the Viceroy of Mexico. No one was sure of its extent or configuration. In 1828, when it became necessary to delimit the vast territory on the north, a straight line was drawn on paper with a ruler, beginning at Cape Mendocino and ending at Evans Pass, the great fissure or "fault" in the southern Rockies. This line was fourteen hundred miles long.

Lower California, which forms a peninsula jutting into the sea, was well known. It was a sterile soil, scantily populated. Upper California, farther to the north, was a practically unexplored land. All that was certain about it was that a long range of mountains extended the length of the coast. that behind it was a second range, somewhat loftier, and that behind this there was a third chain parallel to the other two, the terrible Sierra Nevada. The valleys between these three ranges were known to consist, in large part, of level plains. Beyond the Sierra the Californian Desert stretched as far as the Great Basin, and when Salt Lake had been passed the prairies began.

In 1839 this twin territory was a province of the Republic of Mexico. It was administered by Governor Alvarado. The seat of government was at Monterey, upon the continent. There were 35,000 inhabitants at Monterey, of whom 5,000 were white and the rest of Indian blood, more or less.

II

Imagine a strip of land reaching from London to the oasis of the Sahara, or from

St. Petersburg to Constantinople. This strip is washed by the sea throughout its length. Its area is considerably greater than that of France. The north is exposed to the extreme rigors of winter. The south is tropical. A long, deep neck of water, which cuts through two mountain ranges and divides this strip into two equal parts, places a large inland lake in communication with the sea. This lake can shelter the navies of all the world. Two majestic rivers, which have watered the countries of the hinterland to the north and to the south, flow into it. They are the Sacramento and the Joachim.

This is all we need keep in mind concerning this immense territory of California. Sutter, upon the map which he kept in the portfolio of his plans, had no more.

See him now!

He has just come up the estuary in a canoe and has traversed the lake in a little pirogue with a triangular sail.

He sets foot on land in front of a miserable mission station. A Franciscan monk, his teeth chattering with ague, opens its gate.

He is at San Francisco.

Fisher huts in baked clay. Blue-skinned hogs that sprawl luxuriously in the sun. Meager sows suckling litters of a dozen shoats.

This is the country Johann August Sutter has crossed a continent and an ocean to conquer.

III

He has chosen a good time.

In spite of its distance from the political centers of the world, and for all its aloofness from historical actualities, the country of California at the beginning of the nineteenth century was experiencing one disastrous crisis after another. It often happens so. A revolution in a far city that is over in a week may have terrible and permanent consequences in some country at the far fringes of the earth. Its consequences may transform from top to bottom an order of things that has been established for centuries, or shatter utterly a fragile civic life that has hardly yet taken shape.

California's situation at the time Sutter

landed was more than precarious. Its very existence was in peril.

The mission establishments which the Jesuits had founded all over the territory of old California, as in every overseas country which they evangelized, had not been able to resist the disaster that overtook the Society of Jesus in the year 1767, and they had passed into the hands of the Franciscans. These monks had undertaken the colonization of New California and pushed on to a country which the Jesuits had never penetrated.

Little by little, keeping to the coast line, the padres had built eighteen posts. Simple centers of colonization at the start, they had become, in course of time, important properties surrounded by prosperous villages.

Built upon a stereotyped model, their organization was everywhere the same.

San Luis Rey, the chief of these colonies, consisted of a series of buildings built in a vast quadrangle. Each side was 450 feet in length. The church occupied one entire side. The other three were taken up by the monastery, the farm with its outbuildings, stables, barns, cattle byres, storehouses, and

workshops. This mass of buildings was grouped round a courtyard planted with sycamores and fruit trees. In the center was a fountain of masonry or a jet of water falling into a basin; in the quietest spot of all, an infirmary.

Two monks looked after the domestic duties of the establishment. The others were teachers or overseers in the workshops, managers of the storehouses or delegated to entertain travelers.

The young Indian girls were under the care of matrons of their own race. They were taught to weave stuffs of wool, linen, and cotton. They left the mission only to be married. The aptest of the boys were taught music and singing, others some handicraft, or agriculture.

The Indians were organized in brigades, each under the command of one of their chiefs. At four in the morning the Angelus was rung and all assisted at mass. After a frugal breakfast the cultivators betook themselves to the field. From 11 A. M. to 2 P. M. all dined and rested in the open air. At sunset there was another religious office which all, even the sick, were expected to

attend. Supper was then served, and following the meal dancing and singing began and often went on far into the night.

Their food consisted of beef and mutton, with various grains and green vegetables. Water alone was drunk. The costume of the men comprised a long linen shirt, cotton pantaloons, and a woolen cloak. The women were given two chemises a year, a petticoat, and a shawl. The alcalde and other chiefs wore Spanish dress.

After their products—hides, talc, and cereals—had been sold and shipped on foreign vessels, the friars distributed a variety of merchandise to their charges—books, piece goods, tobacco, rosaries, and assorted trinkets. Another part of their revenue was devoted to the upkeep and embellishment of the church, the purchase of pictures, statues, and musical instruments. A fourth part was laid aside as a reserve.

More and more land came into cultivation each year. The Indians, under the instruction of their ghostly fathers, learned how to build bridges, roads, canals, and water-mills. In the workshops all sorts of trades went on side by side. There were

Indian blacksmiths, ironworkers, tailors, dyers, saddlers, carpenters, potters, and tilemakers.

Branch establishments gradually grew up at a short distance from the mother house. Small farms or orchards were intrusted to the care of some trustworthy disciple. In 1824 the 1,400 Indians at the mission of San Antonio owned between them 12,000 head of stock, 2,000 horses, and 14,000 sheep. The monks themselves, being under the vow of poverty, had no personal property, considering themselves in all things trustees and stewards of their Indian flock.

It is the year 1832.

The Republic of Mexico is proclaimed. All religious establishments with their dependencies become the property of the state. The monks, it is true, are promised a pension. But it is never paid them. It is pillage by wholesale. Generals and carpetbaggers allot themselves the pick of the properties. As for the Indians, dispossessed, abused, and wretched, they soon betake themselves to the bush. Prosperity and the public welfare disappear. In 1838,

of the 30,650 Indians who were free workers at the missions, 4,450 remain. Horned stock has fallen from 420,000 to 28,200 head; horses from 62,500 to 3,800; there are 31,600 sheep left out of the 321,000 that were grazing round the mission six years ago! The government makes a belated attempt to restore some sort of social justice and prosperity. It gives lands and civic status to the poor Indians, who become free citizens of a free republic. But it is too late. Distilleries of native brandy are installed in the old mission buildings.

This is the state of things when Sutter arrives.

He soon makes his presence felt.

Chapter Six

I

HIS first expedition on horseback takes Sutter into the valley of the Sacramento. The incredible fertility of the soil and the luxuriance of the vegetation point out this valley as the place where his first attempt at colonization should be made. On his return he learns that the first convoy of Kanakas has just landed. They are fifteen in number and are housed in the hamlet of Yerba Buena, at the farther end of the Bay of San Francisco. Nineteen white men have come with them, hefty and enterprising

fellows, hand-picked by the partners at Honolulu. Sutter passes them in review. Every man is armed to the teeth.

The next day Sutter hurries to Monterey, riding day and night.

He makes his bow to Governor Alvarado. It is his intention, he tells the governor, to settle in the country and cultivate its soil. With his armed band he will set up a cordon of outposts and check the incursions of wild Indians from the north. It is his intention to get the remnants of the mission Indians together, assign them lands, and make them work under his direction. Other vessels are on their way from Honolulu, and when they arrive his company will be much stronger. New consignments of Kanakas will be disembarked at the spot he has chosen, accompanied by white overseers in his pay. All he asks is to be let alone. He will save the country.

"Where do you want to settle?" asks the governor.

"In the Sacramento Valley, at the mouth of the Rio de los Americanos."

"What are you going to call your settlement?"

"New Helvetia."

"Why?"

"I am a Swiss, and a republican."

"Do as you like," the governor replies. "I grant you a preliminary concession for ten years."

II

Sutter and his men are on their way up the valley of the Sacramento.

This is the order of march:

Three ex-whalers, still in seamen's dress, head the column. Then come one hundred and fifty Kanakas. They are all clad the same—in a striped cotton shirt reaching the knees—and have made themselves little pointed hats with the leaves of the wild tulip. Thirty wagons come next, loaded with provisions, seeds, ammunition. There are fifty horses, seventy-five mules, five bulls, two hundred cows, and five flocks of sheep. A rear guard closes the procession, rifle on hip and broad-brimmed hats cocked over one ear.

III

Six months later. A change has come over the valley that is like the transforma-

tion in an opera when the scene is shifted.

First of all, fire has done its work. Under a heavy sour smoke ferns and greasewood have crumbled to ashes, flames have leaped up, straight and all-devouring. On every side are blackened stumps still smoking sullenly, shriveled bark, branches burned to charcoal. Only a few big trunks still stand upright, reddened and splintered by the flames.

And work is going on.

How they work!

Oxen come and go in yokes. The mules are at the plow. Seed flies through the air into the furrows. There has been no time to root up the big stumps, and the furrows are driven round them. Horned stock is already at pasture in the swampy meadows, sheep are on the hills, the horses are grazing in a big *zereba* surrounded by a rough hedge of thorns. At a delta where two rivers meet, foundations have been dug and the ranch house is rising, built of great trunks roughly squared and clapboards six inches thick. Everything is on this scale—vast, monumental, conceived for an indefinite future. The outbuildings have already taken

shape. There are barns, granaries, storehouses. The workshops are along the waterside. The Kanaka village is hidden in a ravine.

Sutter is here, there, and everywhere. He directs everything. No detail, however slight, escapes his eye. He is ubiquitous. Sometimes a man is lacking in a crew. At such time he does not hesitate to lend a hand himself. Bridges are being flung over rivers, roads marked out, marshes are being drained away, pools filled up, a well sunk, ditches dug, water drawn off into a vast drinking-pool. Recruiting parties have visited the neighboring villages; already 250 former protégés of the mission are back, working at their old trades, with wives and children. Every three months new convoys of Kanakas arrive, and the cultivated lands stretch away toward the horizon. A handful of white settlers, thirty in number, have put themselves under Sutter's orders. They are Mormons, and Sutter pays them three piastres a day for their time.

Prosperity is not long in arriving.

Within an area that a horseman could cover in a few days, there are 4,000 oxen

and steers, 1,200 cows, 1,500 horses and mules, and 12,000 sheep at New Helvetia. The harvests return 530 per cent, and the granaries are bursting.

Toward the end of the second year Sutter buys a number of fine ranches on the coast near Fort Bodega from Russian colonists who are leaving the country. He pays them $40,000 in cash for the property and conceives the idea of a big stock farm where pedigreed cattle may be bred.

IV

In all schemes of this nature difficulties of two orders have to be met and conquered. It is comparatively easy to overcome those of a material nature. Hard unremitting work and a will of iron seldom fail to impose a new order upon the face of nature, altering not alone the aspect of a virgin country, but its very climate. It is not so easy to deal with the human element.

The situation in which Johann August Sutter found himself at this point was a characteristic one.

At the moment he made his first landing California was on the eve of a revolution.

A company, calling itself the Compania Cosmopolitana had just been formed at Mexico City, whose avowed end and object was to plunder whatever was left of the old mission property. Powerful political wire-pullers had got together a band of two hundred adventurers with the intention of flinging them upon the shores of the hapless province, once so prosperous. While they were still at sea, General Santa Anna overturned the government of President Farias. The first act of the general was to send a courier, by way of Sonora, with urgent orders to Governor Alvarado to oppose the landing of these rascals by force. The band was, in consequence, broken up opposite San Diego, between the Pacific and the Gulf. Such of its members as escaped betook themselves to the interior and gave themselves up to brigandage. Two parties formed, and between them the country was put to fire and sword.

Sutter had the wisdom not to take sides, but to make friends among both factions. The situation was still further complicated by a steady infiltration of hunters and trap-

pers, all of American nationality, into the heart of the country. These already formed a small but very active faction, whose object was the inclusion of California within the Union.

Here, also, Sutter, by a series of clever maneuvers, avoided compromising himself. He gave covert support to the American party. Four times a year he sent his couriers across the mountains to St. Louis. One of these messengers even penetrated to Washington, bearing a scheme for the seizure of California. Sutter was to take command of the troops and was to be rewarded with a title to half the territory conquered. Meantime, in the eyes of the Mexicans, his heroic conduct upon the frontier and his energy in beating back the incursions of the Indian tribes earned him the reputation of being a faithful ally of their government. He received the title of Guardian of the Northern Frontier, with the grade of captain. To recompense him for his services, Alvarado made him a present of a tract of land "twelve hours square," which was as big as his own Basle.

It was the Indians who were Sutter's more immediate preoccupation.

The savage tribes along the High Sacramento were watching his enterprise with a sinister eye. These wheat-fields and clearings, with their workers and herds, their farms and outbuildings which seemed to spring from the ground, this prosperous colony whose future extension no man could prophesy, were encroaching upon their immemorial hunting-grounds. They had taken up arms, setting the torch to barns and storehouses, massacring isolated herders and carrying off their stock. Armed encounters were frequent. There was hardly a day when shots were not exchanged and when the body of some scalped wood-cutter, some planter or outpost sentry, hideously mutilated, was not carried in. Sutter could never congratulate himself sufficiently upon his brilliant scheme of importing Kanaka labor. Without it these two first years of incessant skirmishing would have seen the ruin of his colony.

There were by now six villages of islanders.

V

In spite of warfare, political complications, and intrigues, assassinations, incendiary fires and the perennial atmosphere of revolution, Johann August Sutter was realizing his great scheme.

New Helvetia had taken shape and substance.

The dwelling-houses, the ranches, the principal buildings, granaries and storehouses, were now surrounded by a wall five feet thick and twelve feet high. At each angle was a square bastion armed with three pieces of ordnance. Six more defended the principal gate. The standing garrison was of a hundred men. Patrols and armed parties kept order in the immense domain. All these soldiers were men picked up haphazard in the bars of Honolulu. They were married to native women, who accompanied them on the march, carrying their baggage, grinding their corn, molding bullets, and wrapping cartridges. When danger was imminent these men retreated on the fort and augmented its garrison. Two armed sloops rode at anchor before the fort, ready at a

moment's notice to sail up the Rio de los Americanos or the Sacramento.

The foremen of the mills, of the saw-pits, where the giant trees of the country were made into planks, and of the numerous workshops of all sorts, were mostly ships' carpenters or sailors before the mast whom Sutter tempted to desert from ships that called in the bay by promising them a wage of five piastres a day.

It was a common occurrence for white colonists, attracted by the fame and prosperity of the enterprise, to present themselves at the main ranch. These were poor devils who had failed to make good, principally Russians, Irishmen, or Germans. Sutter gave them land or employed them according to their capacity.

There were daily shipments of hides, talc, grain, flour, maize, dried meat, cheese, butter, lumber, and smoked salmon. Sutter by now sent his merchandise to Vancouver, to Sitka, to the Sandwich Isles—to almost every Mexican and South American port on the Pacific, though his principal trade was the provisioning of ships that cast anchor in the bay.

New Helvetia was at the full height of its prosperity and activity when Captain Frémont visited it, after his memorable crossing of the Sierra Nevada.

Sutter, who met him as he descended from the mountains, had an escort composed of twenty-five men, splendidly equipped, and mounted on stallions. The uniform of these troopers was of dark green, relieved with yellow braid, and set off with broad-brimmed hats worn to one side. These lads impressed Frémont by their military bearing. All were young, vigorous, and trained to a hair.

Consider the scene that met the captain's eye. Countless herds of pedigree cattle were at pasture in the meadows. The orchards were loaded with fruit. In the truck gardens, vegetables of the Old World grew side by side with those of tropical countries. Wells and irrigation ditches were everywhere. The Kanaka villages were neat and orderly. Everyone was at work. Alleys of magnolias, palms, banana and orange trees traversed the cultivated area, converging toward the settlement. The walls of the hacienda almost disappeared under climbing roses, geraniums, and

bougainvilleas. The great door of the master's house was shaded by a curtain of sweet-smelling jasmine.

The table was splendidly set: hors-d'oeuvre; trout and salmon from near-by brooks; ham, roasted *à l'écossaise;* wood-pigeons; haunch of venison, bear's paws; smoked tongue; sucking-pig stuffed with mincemeat and powdered with tapioca; green vegetables, cabbage palms, and salads of crocodile pears; every variety of fruit, fresh and candied; mountains of pastry. The viands were washed down with Rhine wine and certain old bottles from noted French cellars which had been carried, with infinite precautions against breakage, from the other side of the world.

The guests were served by young women from the Sandwich Isles or half-caste Indian girls, who came and went with imperturbable gravity, carrying each course enveloped in linen napkins of dazzling whiteness. A Hawaiian orchestra played throughout the meal, rendering the "Berne March" with a drum accompaniment upon the skin of its guitars, or imitating the trumpet music of the "Marseillaise" by sonorous chords drawn

upon their strings. The table was laid with ancient Spanish silver, massive, graceless, and stamped with the royal arms.

Sutter presided, surrounded by his partners. Among the guests was the governor, Alvarado.

VI

Sutter by now had an open credit at the most important banking houses of the United States and Great Britain. He was in the market for large consignments of material—agricultural implements, fire-arms, munitions, seeds and plants. His purchases came thousands of miles overland or by sea round the Horn.

For twenty-five years ranchmen in the interior still spoke of one wagon, drawn by sixty yoke of white oxen and strongly guarded, which traversed the American continent from east to west. After crossing prairies and savannahs, fording rivers, threading the defiles of the Rockies and crushing the cacti of the Great Desert under its massive wheels, it arrived safely at its destination, bearing the first steam-driven mill ever set up in the United States.

Alas for human foresight! Better had it been for Johann August Sutter, now at the height of his success and splendor, if this wagon had been sunk forever in some river, mired inextricably in some morass, toppled over the brow of some precipice, or that its team of oxen had been decimated by pestilence before it reached New Helvetia!

VII

Meantime political events drew nearer and nearer to their climax.

Sutter was by now a man universally respected, whose advice was sought by all. But he was far from being immune from contingencies. On the contrary, as revolution followed revolution and the strife between parties grew ever more acute, everyone wanted to have him on his side. He was in demand not only on account of his fortune, but on account of his moral character. Each faction seems to have reckoned in advance upon the support of the little New Helvetian army. Sutter, with incredible skill, contrived to play one off against another. More than once he was on the point of seeing his crops burned, his stock scattered, his

barns and storehouses pillaged by yelling hordes fresh from ravaging the country for miles round and driven to frenzy by the sight of such riches within their reach. Time and time again he found some means of saving himself in the nick of time. Years of misery in New York had sharpened his wits, had taught him to add resource to daring, and had given him a profound knowledge of the human heart. He made all sorts of promises, knew the leaders who could be bribed, and when their followers might be sent away satisfied with fine speeches and alcohol. He had made up his mind to fight if hard pressed. But what he desired was not so much a military victory (he was conscious that force and discipline were on his side) as to safeguard his work and not to see an edifice that had taken him such trouble to rear laid in ruin. There were dark days when its fate hung on a single hair.

He was still on good terms with the Cabinet at Washington. Yet it was precisely from that quarter that he ran his greatest risk.

Already, in 1841, a Captain Graham, at the head of a band of forty-six English and

American adventurers, had tried to seize California by a *coup de main* and to proclaim it an independent state. Alvarado had got wind of the affair in time, had surprised the party, massacred half of them, and thrown the rest into prison. The governments at London and Washington had lost no time in claiming an indemnity for the death of their nationals. London demanded 20,000 piastres, the United States 129,000, for the fifteen slain rangers. A British corvette anchored before Vera Cruz and Mexico was forced to give way.

In the spring of the year 1842 a revolt, headed by the Dominican monk Gabriel, was stifled in blood.

In October, 1843, a force of over one hundred Americans from Santa Fé arrived in California, and Alvarado, whose despotism had earned him wide unpopularity, demanded help from the Mexican government. The dictator Santa Anna sent three hundred galley slaves by sea. He promised them land, stock, and a full pardon if they succeeded in driving out the Americans. A new governor of California, General Manuel Michel Torena, was appointed. Torena was

an honest man, full of good intentions. But he could do nothing to prop up the crumbling edifice of Mexican power. He made his headquarters by preference in the old buildings of the mission friars, and often came to New Helvetia in search of advice. Sutter at this time was making headway against a final invasion by the savage tribes. The slaughter was terrible.

Five years elapsed—years of strife and pronunciamentos, of riots and revolution sedulously fomented by the Cabinet at Washington. Finally—war with Mexico, the cession to the United States of Texas and California.

Sutter had obtained a further concession of territory (twenty-two "hours" square) from the last Mexican governor.

He was the largest landowner in the Union.

VIII

Peace at last!

A new era opens.

At last Johann August Sutter can enjoy his riches and push forward his schemes in full security.

New seeds and plants are ordered from Europe. In the low country the olive and fig tree are acclimated. Apples and pears flourish on the hills. Sutter installs the first plantations of cotton, and experiments with rice and indigo on the banks of the Sacramento.

At last he is able to realize an old desire that has lain at his heart for years. He plants vineyards. At immense cost he has had shoots sent him from the Rhine and from Burgundy. North of his property, on the banks of the Feather River, he has built a big country home. This is his loved retreat —his "Hermitage." Great shade trees grow round the house. Gardens are on all sides. Banks of daisies and heliotrope perfume the air. In the orchards grow the choicest of fruit—cherries, apricots, peaches, quinces. Thoroughbred horses, prize cattle, graze in the meadows below his windows.

Every day he takes his favorite walk up on the hillside where his precious vines are ripening for the vintage—Hochheimer, Chambertin, Château Chinon!

In the heat of the day, seated under a pergola covered with climbing vines, he dreams

into the future. His family in far Europe! They can come out to him at last. His creditors—lucky men! They little suspect the reimbursement that is waiting for them. Rehabilitation for the ancestral name. And for his little country among the mountains —what foundations—to perpetuate his memory! . . . Sweet day-dreams.

"My three sons must come out. I will find them careers—make men of them. And my daughter—what does she look like by now? By the way, I must order a grand piano from Pleyel of Paris. It can come the way I came, even if it has to be carried on men's backs. . . . Maria . . . My old companions. . . ."

Reverie. . . .

His pipe goes out. His eyes brood upon the far horizon. The first star pricks the darkening sky. Beppo, the circus dog who walks on his hind legs and smokes a pipe, is sound asleep. . . .

Reverie. Calm. Repose.

Peace is his at last. The peace of the gods!

Chapter Seven

REVERIE. Calm. Repose. Peace?

No! No! No! No! A thousand times No!

It is GOLD!

The rush for gold.

The golden fever which smites the world like a sudden plague.

The great madness of 1848, 1849, 1850, 1851, which is to last fifteen years.

San Francisco!

Chapter Eight

I

A CHANCE blow by a pick, and all this vast mechanism is set in motion.

Hordes fighting for the exit west. First, those from New York and the ports along the Atlantic seaboard. Immediately afterward, those from the interior and Middle West. It is a vast human watershed. The decks of steamers bound for Chagres are black with humanity. They cross the Isthmus, on foot, traverse marshes where nine in every ten perish of yellow fever. The remnant who reach the

Pacific coast club together and charter sailing-vessels.

San Francisco! San Francisco!

The Golden Gate.

Goat Island.

Wooden wharves. Foul, muddy streets where holes are filled in with sacks full of flour.

Sugar soaring to five dollars a pound. Coffee, ten dollars. An onion, two hundred. A glass of water, a thousand. Shots ring out. 'Forty-fivers make their own law. And behind this first human flood-tide, other tides, fresh hordes, from Europe, from Asia, from Africa, North and South.

In 1856 more than six hundred vessels enter the bay. They empty their human cargoes on the beach and are off for more.

San Francisco! San Francisco!

And that other magic name: SUTTER.

Who remembers the name of the man whose pick-ax delivered this fateful blow?

It was James W. Marshall. He was a carpenter by trade and came from New Jersey.

His pick-ax ruined Johann August Sutter,

first multi-millionaire of the American continent.

Think of him!

He is forty-five. He has given up everything, dared everything, risked everything, to make himself a "life."

And the discovery of gold on his property destroys him.

The richest mines in the world.

The biggest nuggets in the world.

The LODE!

Chapter Nine

I

LET Johann August Sutter tell his own story.

I copy the following chapter from a great manuscript bound in parchment. On the cover are traces of fire. The ink has faded, the paper is yellow, the spelling none too good. The script, full of abbreviations and complicated by flourishes, is difficult to decipher. The phrasing is full of idiomatic expressions, of terms in the dialect of Basle, of "amerenglish." But if the hand of the writer, pathetically clumsy, seems to have

hesitated from time to time, not so the story. This follows its course simply—naïvely. The man who has set it down utters no complaint. He confines himself to narrating the events, to enumerating the facts just as they befell. Behind him one feels the conviction of the actual.

I translate, humbly and faithfully:

II

"It was the middle of the month of January, 1848. Mr. Marshall of New Jersey, my carpenter, was at work for me on my mills. He was working on a new saw-pit at Coloma, in the mountains, about eighteen hours' journey from the fort. When the framework was finished, I sent up Mr. Wimmer and his family, with some workmen. Mr. Bennet, of Oregon, went with them to superintend the haulage and to see to the installation of the machinery. Madame Wimmer was to cook for the outfit. I needed a saw-mill, as I was short of lumber for my big steam-mill, which was still under construction at Brighton. The boiler and machinery had just arrived after eighteen months' journey. God be thanked, never

would I have believed such an enterprise possible, and the oxen all in good condition, praise be! I also needed lumber to finish the palisade at the village of Yerba Buena, at the bottom of the bay, for there were a great many ships there now, and the crews were turbulent and thieving, and beasts and merchandise had a way of disappearing, no one knows how.

"It was a rainy afternoon. I was sitting in my room at the fort writing a long letter to an old friend of mine at Lucerne. Suddenly Mr. Marshall burst into the room. He was soaking wet. I was very much surprised to see him, for I had just sent a wagon to Coloma loaded with provisions and iron work. He told me that he had something of the utmost importance to tell me, that he wanted to speak to me in private, and begged me to take him to some isolated place where no one could possibly overhear us. We went up to the next floor, and, although there was no one else in the house except the bookkeeper, he insisted so strongly that we locked ourselves into a room. I came down again to get Marshall something he wanted (I believe it was a glass of water). When I

came back I forgot to turn the key in the lock. Marshall had just pulled a piece of cotton from his pocket and was showing me a lump of yellowish metal that had been wrapped up in it when my bookkeeper came into the room to ask me some question or other. Marshall slipped the metal into his pocket at once. The bookkeeper excused himself for interrupting us and left the room. 'My *God!* didn't I tell you to lock the door?' cried Marshall. He was in a terrible state of excitement, and I had all the trouble in the world to quiet him and to convince him that the bookkeeper had come in on his own business and not to spy on us. This time we bolted the door and even pushed a wardrobe against it. Marshall again took out the metal. There were several small grains of about four ounces weight. He told me that he had told the workmen that this was gold, but that they had all laughed at him and treated him like an idiot. I tested the metal with nitro-muriatic acid. Then I read a long article on gold in the 'Encyclopedia Americana.' I told Marshall then that his metal was pure gold in the virgin state.

"At these words the poor fellow began to act like a madman. He wanted to leave at once for Coloma on horseback. He pleaded with me to accompany him there forthwith. I begged him to observe that evening was already closing in and that it would be far safer for him to pass the night at the fort. I promised to go with him the next morning. But he refused to listen and rode off at full gallop, crying: 'Come to-morrow—to-morrow early.' It was raining in torrents and he had not tasted a bite.

"Night fell quickly and I re-entered my room. This discovery of gold in the torrent did not leave me indifferent. But I took it quietly, as I have taken all the good and bad luck that has happened to me in my life. Nevertheless, I was unable to sleep all night. My imagination showed me all the terrible consequences and fatal results the discovery might have for me. Yet I was far from dreaming that it would mean the ruin of my beloved New Helvetia! Next morning I left full orders for the day's work with my numerous gangs of workers and at seven o'clock left for the mill site accompanied by a few soldiers and a cowboy.

"We were midway up the zigzag path that leads to Coloma when we came across a riderless horse. A little higher up Marshall came out of the trees. He had been stopped by the storm and could not continue his way. He was half distraught and nearly dead of hunger. His excitement of yesterday was still upon him.

"We rode on and arrived at last at the new El Dorado. The clouds had cleared somewhat. In the evening we made a little trip along the banks of the canal, which was swollen to its brim from the heavy rains. I closed the sluice-gates. Immediately the bed emptied and we set ourselves to look for gold in its bottom. We found several traces, while Mr. Marshall and the workmen handed me some small nuggets. I told them that I would have a ring made from these in California as soon as possible. As a matter of fact, I did, later, have a signet ring made from them. Not having any armorial bearings, I had my father's trade-mark, a phoenix in flames, engraved on the face, and upon the inside this inscription:

" 'First gold—Discovered in January

1848,'—Three bishop's crosiers followed, the cross of Basle and my name: SUTTER.

"The next day I surveyed Coloma thoroughly, taking good note of its situation and configuration. Then I called together all my workers. I told the men that it would be necessary to keep the matter secret for five or six weeks, the time necessary to finish the construction of my saw-mill, on which I had already spent $24,000. When they had given me their word of honor, I returned home. I was depressed and could see no way out of the trouble which this accursed discovery was sure to make for me. Such a thing could not remain a secret long. Of that I felt certain.

"And so it happened. Barely two weeks later I sent one of the white workmen to Coloma, with a load of provisions and tools. A few Indian boys accompanied him. Mme. Wimmer told him the entire story and her children gave him some nuggets. Immediately after his return this man betook himself to one of the shops outside the limits of the fort. He ordered a bottle of whisky and tendered the gold which he had brought back from Coloma as payment.

The proprietor (his name was Smith) asked if he took him for a Dingo Indian. The teamster referred him to me for corroboration. What could I say? I told Smith the story. His partner, Mr. Brannan, came to me at once and overwhelmed me with questions which I answered truthfully. He dashed out of the building without even taking time to close the door. That night Smith and he loaded all their goods on to two wagons, lifted a team from my corral, and left for Coloma.

"Then my workers began to desert.

"Soon I was alone at the fort with a few faithful mechanics and eight invalids.

"My Mormons were the last to leave me, but, once the fever had got hold of them, they were just as bad as the rest.

"An uninterrupted procession now went past my windows. Everyone who could walk climbed the hills from San Francisco and the coastwise hamlets. Shops, farmhouses, huts were closed and their tenants turned their faces toward Fort Sutter and Coloma. At Monterey and other towns of the south the rumor got about for a while

that the whole thing was 'a ruse of Sutter's to get new colonists.' The procession dwindled for a few days, only to begin again still thicker than before. As the fever swept the southern towns, they too emptied rapidly. My poor domain was overrun.

"Misery now began for me.

"The mills ceased to work. They were plundered to the very mill stones. The tanneries were deserted. Sheets of leather went to green mold in the tanks and the untanned hides rotted away on the walls. My Indians and Kanakas disappeared with their wives and children. All were washing for gold, which they exchanged for liquor. My shepherds left their flocks on the hills, my field workers threw down their spades, there was no one to cut a head of cabbage in the truck-gardens. In the byre prize cows, their udders full of milk, lowed piteously until they died. My very soldiers deserted. What was I to do? My men came to me. They implored me to go to Coloma, to become a gold-seeker with them. My God! how I loathed it! But I consented at last. There was nothing else left for me to do.

"I loaded up several wagons with merchandise and provisions. Accompanied by a hundred Indians and about fifty Kanakas, I settled down to wash gold in a mountain camp on the banks of the torrent which is called Sutter's creek to this day.

"Things went pretty well at the start. But soon a horde of worthless adventurers descended on us. They set up distilleries; they made friends with my men. I struck camp and went still higher up the mountain. Useless precaution! That accursed swarm of distillers followed us everywhere. For my poor Indians and Kanakas the taste of this new joy was irresistible. Soon all were incapable of the slightest work. For three days out of the four they sprawled on the ground, dead drunk.

"From the mountain top I could see the immense territory which I had cleared and fertilized given over to fire and pillage. At night the low roar of men on the march came up to us from the west, punctuated with rifle shots. At the end of the bay I watched a vast unknown city arising as though from the ground and spreading visibly each day. The bay was black with vessels.

"I gave in.

"I went down to the fort. I discharged a handful of men who had not been willing to come with me. I voided all the contracts and paid every bill."

Chapter Ten

I

ON the 17th of June, 1848, Colonel Mason, the new American governor, left Monterey for the diggings. He wished to assure himself, by personal observation, how much truth there was in the fantastic stories that were current concerning the discovery of gold in the Sacramento Valley. On the 20th he reached San Francisco. At the moment of his arrival he found the town, a short while ago so full of life, silent and deserted. All the male population were up at the diggings.

"On July 3d," says his report, "we arrived at Fort Sutter. The mills were standing idle. Immense droves of oxen and horses had broken through the fences and were eating the standing corn and maize. The barns were falling into ruin and the smell from them was very offensive. At the fort itself we observed much activity. Barges and pinnaces were discharging and taking on a great quantity of merchandise. Convoys of covered wagons were parked round the walls. Others were coming and going. For the smallest room one hundred dollars a month is paid. For a miserable cottage with one floor, five hundred dollars. Sutter's blacksmith and farrier, who are still with him, earn fifty dollars a day. For five miles round, the sides of the hills are white with tents. The country swarms with people. All are busy washing for gold. They use a shallow pan, or Indian baskets woven very closely of reeds, or the famous 'cradle pans'."

The Polynesian, a newspaper issued at Honolulu, published a letter, from which we quote the following passage:

"From San Francisco our road leads us by the valley of the Puebla as far as San José. The journey takes about twenty hours at a trot. I have never seen so entrancing a country. The valleys are brilliant with flowers, the meadows are threaded by a multitude of watercourses, the hills are covered with sheep. . . . After passing the old Mission Santa Clara, whose tiled roof has fallen in, we arrived on the banks of the San Joachim River. After crossing it by ferry we went on to Fort Sutter. The country through which we passed is of a surprising fertility and could feed an immense population. But we did not meet a single human being. All the farms are deserted. The entire population, Americans, Californians, and Indians alike, are up at the mines. After leaving Fort Sutter we followed the banks of the Americanos River and soon were climbing the foothills that ascend continuously until they run into the Sierra Nevada range.

"At midday we halted for luncheon. While the water for our coffee was boiling, one of our party dipped a pewter mug into a little watercourse at our feet. He filled it

with sand to the brim, washed the contents, and recovered four grains of gold. By sunset we had attained Captain Sutter's saw-mill, where gold was first struck. We had covered twenty-five miles over roads that are practicable for the lightest tired carriage, through a land of fairy-like beauty, passing on our way mines of gold, silver, platinum, and iron.

"About a thousand gold-seekers were at work around the mill. Their average takings are roughly sixteen dollars a day. For deeper diggings the output is far greater. The record for one man, up to the present, is two hundred dollars in a single day. The nuggets are of all sizes. The largest that has been found weighed sixteen ounces. The mountains around teem with gold and platinum. Five miles from the saw-mill a lode of silver has just been struck which is the richest known. The whole country is one inexhaustible treasure house. . . ."

II

Those who chose to make the journey overland had months of fatigue and privation before them. Others preferred to risk

the sea passage round Cape Horn. After leaving the Hudson they sailed due south, traversed the Gulf of Mexico, crossed the line, and followed the South American coast as far as Cape Horn, the cape of storms. Here they turned northward along the Chilean coast, recrossed the line and steered for San Francisco. It was a journey of seventeen thousand maritime miles and took from one hundred and thirty to one hundred and fifty days.

The majority of gold-seekers crossed the Isthmus of Panama. A veritable torrent of humanity was mounting the Gulf Stream or massing on the beaches of Cuba and Haiti, to converge like a water sluice upon Chagres, a pestilent hole set in the midst of steaming marshes. If no unforeseen accident happened, by making his way through a population of degenerate Indians and whole villages of leprous negroes, by daring shifting sands, mosquitoes, and yellow fever, the gold-seeker might reach Panama in three days, and if his luck held good, find room on a ship bound for Frisco.

This traffic became such that a New York house began the construction of a railroad

in Panama. Tons of earth and gravel were shoveled into the marshes. Thousands of laborers sickened and died. But at last the line was completed. It is true the ties often sank in the loose soil under the weight of the overloaded trains. But, one way or another, the service went on and the trip to San Francisco was shortened by some weeks.

At the Atlantic rail-head a town sprang up called Aspinwall, after the director of this enterprise. Gradually a regular shipping schedule was established by steamboats from England and France. Italy, Germany, Spain, and Holland took their share of traffic. Puffing and blowing, the little trains rolled across the Isthmus, loaded down with feverish Europeans come to tempt fortune in a uniform of red shirts, high boots of untanned leather, and corduroy pantaloons.

San Francisco! California! Sutter!

The three names made the tour of the world. Even in the most secluded hamlets they were familiar words. At their sound energy felt its muscles, appetites were sharpened, illusions were renewed, the spirit of adventure, the lust for gold, regained their

old empire. From every point of the globe men turned their steps to this promised land where one had only to stoop to gather a fistful of gold, pearls, and diamonds. Solitary men, corporations, sects and gangs, all had the one goal.

III

El Dorado!

The quays of San Francisco! An endless debarkation of South Americans, Kamschatkans, Siberian peasants, and all the races of Asia from Chinese ports. Troops of negroes, of Russians, of yellow men, occupy Fort Sutter by turns. They replace the Germans, the Swedes, the Italians and Frenchmen who have already climbed the hill to the mining sector. Agglomerations of humanity spring up and multiply with a celerity for which history has no precedent. In less than seven years the populations of new towns are numbered by hundreds of thousands. In ten years San Francisco is one of the world's great capitals. It has long ago swallowed up the little village of Yerba Buena. Building lots are auctioned by the foot at the same rate as in London or New York.

And Johann August Sutter is a ruined man.

IV

How is he ruined?

His name is upon the lips of every man who journeys up the Sacramento. True. But each newcomer sets up his camp where the fancy strikes him, and wherever the soil offers him treasures, into that spot he plunges his hands. Sutter's plantation, Sutter's farms, Sutter's property, is the center for these washers of gold. The watercourses he has made, the sites he has chosen so judiciously for his buildings, the roads he has laid out, the extraordinary fertility of the soil, his bridges, his canals, are so many baits for the land-grabber and claim-jumper. Villages spring up one after another. The fort falls into ruins. New Helvetia? Try to find it! New names are given to everything. Sutterville, Sutter's Creek, Sutter County bear the name of their old master. But for Sutter himself, these names, so far from being an homage, are a mockery. They commemorate nothing save the ruin of his establishment and the tragedy of his fate.

Ichabod!

V

Johann August Sutter has retired to his Hermitage.

There he has brought what he could save of his flocks and herds. Despite his bad luck, the first harvest brings him in forty thousand bushels. The blessing of Heaven seems to rest upon his vines and fruit gardens. He might well exploit all this prosperity. Scarcity of provisions is general. The importation of foodstuffs has not kept pace with the crazy immigration. More than once the gold-seekers have the specter of famine at their shoulders.

But the heart has gone out of Sutter.

He lets things take their course.

His most faithful servants, the men in whom he had most confidence, have abandoned him. When he offers them higher wages, they tell him there is more to be made up at the mines. Few field-workers. Not a single shepherd.

By speculating, by profiting from the vertiginous rise in the price of foodstuffs, he might rebuild his fortune. But what is

the use? He sees his barns emptying, his provisions coming to an end.

Let others make their fortune!

What does he care?

He does nothing.

Nothing!

Stoically he assists at the appropriation of his property and its division among the newcomers. New titles are registered. There is a new list of landholders. The gold rush is slackening and the men of law have arrived on the scene.

VI

When Texas and California entered the Union the government at Washington extended federal law over the two new territories. But magistrates were few. At the moment of the rush the cosmopolitan horde of gold-seekers is practically subject to no law at all. When the governor sends troops from Monterey to maintain order, the soldiers desert their corps and disappear in the mines. Whenever a man-o'-war, sent by the federal government to impose respect for the law, lands an armed party, its commander is lucky if he sees a single one of his

sailors again. Even pay of fifteen dollars a day on merchant vessels is not enough to keep the men to their duty. The mines are a magnet that nothing resists.

The country is infested with brigands and blackguards of every stamp. Desperadoes and outlaws make their own laws. It is the epic period of the reign of the "45" and of Lynch law. This struggle is one for life, the law is jungle-law. Men are hanged with lariats and shot down with revolvers. Vigilante Committees are formed to protect communal order, which is shyly rearing its head. The original proprietors of the soil may now betake themselves to Monterey and file their claims. The governor forwards these to "the proper quarter." But Washington is a long way off. Official commissions travel slowly and the immigrants pour in very fast, cover the country, take root, and multiply with incredible celerity. When the commissioners finally arrive, all they can do is to report a chaos of claims and counter-claims, a complete upheaval of property rights. Should they, by chance, take the time to study a case to its beginnings, new eventualities are treading on their

heels. The law, in a word, cannot keep pace with the fact.

Ten large towns have sprung up. Fifteen hundred villages.

What can be done under such circumstances?

Appeal to the Law?

The Law!

In September, 1850, California finally enters the confederation with full rights. It is now a state, dowered with functionaries and magistrates, constitutionally complete.

A series of lawsuits begins—prodigious, costly, futile.

The Law!

The Law, in all its impotence before the accomplished fact. How Johann August Sutter despises the men of law!

Chapter Eleven

I

AT Basle.

The last days of December, 1849.

The news of the discovery of gold in California has not yet penetrated to this little Swiss city.

Madame Sutter had just alighted at the famous hotel, The Stork. Her three big boys and her little girl are with her. A devoted friend who has looked after the children's interests during the long absence and still longer silence of the father is with the party.

Madame Anna Sutter, born Dübold, is a tall dark woman who hides a character of almost excessive docility under a severe exterior. Round her neck, in a gold frame, hangs a miniature of Johann August Sutter, taken at the period the two were engaged.

Anna Sutter has been a long time making up her mind. A letter from New Helvetia, dated at the end of December, 1847, had summoned her to California. Detailed instructions for her embarkation, voyage, and journey were inclosed, together with a large letter of credit upon the house of Passavant, Sarrazin & Co., of Basle. But if Anna Sutter has decided to undertake the voyage it is thanks to the intervention of her father, the old pastor at Grenzach, who has urged her, in the name of Christian charity and for the honor of her children, to make the momentous decision. It is also largely due to the devotion of Martin Birmann, the children's guardian, who has taken upon his shoulders all the necessary steps and formalities. Birmann has been several times to Basle, he has made inquiries at the bank and has brought back sensational news, together with a large sum of money.

To-day Madame Sutter's mind is at rest. She knows that her husband, Johann August Sutter, is well and honorably reputed, that he has open credits at some of the most important banks in Europe, that he is one of the largest landholders in America, whose property is bigger than the whole canton of Basle—the founder and developer of a whole country. She imagines him something like her own William Tell. She knows nothing of New Helvetia and she has heard speak of wars and battles. But she conceals her terror and secret misgivings. She has paid her husband's old debts. The judgment against him has been quashed. Now duty calls her and she resists no longer.

The chief cashier of Passavant, Sarrazin & Company has come to the hotel. He bears letters of credit upon the banking houses of Dardel Ainé, at Paris, and of Pury, Pury & Son, at Havre. He brings the best wishes for the voyage on the part of the directors of his bank, and profits by the occasion to mention a cousin of his own whom he would be greatly pleased to see established in America.

The postilion snaps his whip before the door of the inn. Its proprietors, M. and Mme. Freitag, bring out a bottle of old wine, with glasses, on a tray. They join in a toast to their guests. There is a great gathering of worthy bourgeois who sympathize with the poor woman, setting out on so long and dangerous a voyage. The advice that is poured into her ears!

Buried in a great armchair, poor Martin Birmann is weeping and sneezing into his bandanna handkerchief. Upon his knees he holds a carpet traveling-bag closed with a great lock.

At last the family is installed inside the chaise. Martin Birmann hands over the carpet bag to Madame Sutter, once more telling her of its precious contents.

Hoofs clatter, wheels roll. The little group gives a cheer. The children laugh. The poor mother's heart sinks into her shoes. Martin Birmann takes a double pinch of snuff to cover his emotion.

"Bon voyage!"

Bon voyage!

II

The journey is a rapid one. The road flies past under the wheels of the chariot. The first night is spent at Délémont. They lunch the next day at Saint-Ursanne, on mountain trout, and while the children are in raptures over the old town, which has preserved its mediæval ramparts, Madame Sutter feels her heart sink anew at the thought that she is entering a Catholic country. They reach Porrentruy as darkness sets in. Next day the frontier is crossed. By way of Allaine, Boncourt, Delle, and Belfort the chaise and its passengers arrive in Mulhouse.

At Mulhouse our travelers are on the old state highway of France. Lure, Vésoul, Vitrey, and Langres. Chaumont is reached just in time to catch the mail-coach for Paris. It is true that there is a river steamer from Chaumont to Troye, and that from Troye Paris can be reached by railroad. But at one of the inns where the chaise changed horses Madame Sutter has seen a newspaper in which a series of drawings by a certain Daumier paint in lively colors the

dangers to which passengers are exposed by this new method of locomotion. The pictures are quite enough for her. Despite her written instructions she takes the coach from Strasburg. It is less dangerous, she decides. Best of all, she finds that her fellow-passengers speak her beloved German. The young people, the boys in particular, make no attempt to conceal their disappointment.

At Paris M. Dardel the elder strongly urges caution. At his office the poor woman hears for the first time of the discovery of gold. She weeps, and her first impulse is to return straightway to her father. M. Dardel has not got many particulars. But he has heard tell that all the ragamuffins of Europe are pouring into California—that there are daily fights and killings up at the mines. He advises his client to go no farther than Havre for the present, and to pay very careful heed to what his agents tell her before venturing to embark.

On the boat that descends the Seine she notices a group of men with ruffianly faces, who sit apart from the other passengers, sprawling upon their baggage. There is some argument going on among them.

Their voices rise, and mingled with oaths and shouts she hears the words, "America, California, Gold!"

Pury, Pury & Son pull a long face when they see Madame Sutter enter their office and hear from her own mouth that she is on her way to New Helvetia.

"Yes, madame, we know M. Johann August Sutter very well indeed. We are his commission agents and have been handling big affairs for him for years. I seem to remember that only six months ago we sent him out a grand piano. But all sorts of things have been happening lately, and, to tell the truth, we are rather in the dark. It is said he has become the richest man in the world—that he has discovered gold, mines full of it, mountains of it. All the same, we are absolutely against your sailing just now. For the last three months Havre has been invaded by every kind of queer fish, some of them blackguards to whom law means nothing. The police have had their hands full. It is hardly the moment to expose your sons, still less your young daughter, to such a journey. . . . No, madame, no one goes by way of New York now. We are freighting

three steamers which are going direct to Chagres, much the shortest route and the one everyone takes. We booked 712 passages this month. But we beseech you, madame, to reflect on the risks you will run in such company. Wait a few months at least, until we can get some word concerning you from M. Johann August Sutter himself."

But Madame Sutter turns a deaf ear to Pury, Pury & Son, and the partners insist no longer. They do whatever is necessary for the travelers. Anna Sutter and her children embark on the *Ville de Brest*, a paddle-wheel steamer which has been withdrawn from the Channel Islands service for the benefit of the gold-seekers.

The trip to Chagres takes forty-one days. There is a crew of eleven men and 129 passengers, many of whom assist in the work aboard. Madame Sutter and her daughter are the only women. Their fellow-travelers come from every country on the earth's surface, but most are Belgians, Italians, or Spaniards. There are five Swiss, nine Germans, and one man from the Duchy of Luxemburg. With these Madame Sutter soon

gets into conversation. They have never heard tell of Sutter. But they have heard that California is a land full of gold, pearls, and diamonds, all to be had for the picking up. They have this on the authority of such a one and such a one who have already gone out. They are only following the lead of others; there are thousands to come still later. Many of the first batch are already millionaires. "Gold everywhere, madame. They take it up in shovelfuls."

Aspinwall! Heat and damp—damp and heat.

Seventeen steamships are in the roads, flying ten flags. Others are arriving from New York and Boston, from Philadelphia, Baltimore, Portland, Charleston, and New Orleans. The first train to Panama is taken by assault. Men shout and yell, elbow one another aside from the doors, fight for a place. The train rolls on slowly, under a dense cloud of smoke. Strung out along the tracks are rude earthen huts, swarming with squint-eyed Indians, or with negroes, their legs and arms covered with sores. An uncouth chant begins, sung to the rhythm of the clattering

wheels, and taken up by a thousand rough voices.

"To Frisco!
To Frisco!
Sutter! Sutter! Sutter! Sutter!
Sutter! Sutter! Sutter!
To Frisco!
Sszzz zzzz . . K . . Sszzzzzz . . K . . Pug!
Here we are again!"

Anna Sutter holds her young daughter clasped tight against her. The boys lean from the windows and point out the snakes in the marshes. A Dane and a German who have come from New Brunswick tell what they know about Sutter. According to them, he is a king—an emperor. He rides a white horse. His saddle is made of gold. So are the bit, stirrups, and spurs. The very horse-shoes are gold. Life is one long holiday. Nothing is drunk but brandy. Madame Sutter swoons. Her heart almost ceases to beat. On her arrival at Panama there is a lock of white in her hair.

The sun is like molten lead.

Panama! All aboard for Frisco!

It is a sailing-ship this time. The crew

are Kanakas, with terrifying faces. They are abused in the most horrible fashion. The skipper, an Englishman, cuts the thumb off one and uses it as a tobacco stopper for his pipe. The mere feeling that they are on their way to the land of gold drives the passengers to frenzy. Quarrels break out in a moment, and knives are drawn. Madame Sutter shakes from head to foot. A physical tremor takes hold of her limbs that lasts until San Francisco is reached.

At San Francisco she learns that there is no longer such a place as New Helvetia. It has disappeared, and Sutter with it.

III

The heat of a furnace!

A little group is riding to Fort Sutter, led by an old Mexican. Three lads and a young girl ride beside a litter slung upon mules.

The voyage has done for poor Anna Sutter. The trembling in her limbs cannot be stopped. She shivers with cold. Her eyes are glazing.

IV

"Yes, madame, the master is at his Hermitage. It is an estate he has on the Plume

River—a beautiful estate, with vineyards all round it. You can reach it by cross-roads. I will give you a guide you can rely on, who knows the short cuts and will keep you clear of these rascals who are everywhere now. My wife will go with you, she is an Indian who knows the country by heart. Please tell the master that Wackelmager, his manager, has left everything and gone to the mines, and that Ernest has gone, too—the blacksmith who was still working with me. Tell him that I try to keep my eyes on everything and that I am saving all I can. There is plenty of money to be made here still, but, for God's sake, ask him to tell me what I am to do. I am all alone. Tell the master that it would do no harm if he came down here himself."

Jean Marchais is speaking. He is the blacksmith at the old fort, a Frenchman, and the only one who has remained at his post and is still faithful to the good master.

V

Evening. A tranquil Californian evening.

The little party has been riding all day

through the abandoned farm lands of the Hermitage. Since leaving Fort Sutter they have not encountered a living soul. This magnificent estate, covered in weeds and already invaded by the second growth of the forest, is a pitiful sight, far more tragic than the brush and greasewood of the mountains.

Around the farm reigns the silence of the grave.

The party draws rein.

A hoarse shout from Sawa, the Indian, is answered by the dismal howling of a dog somewhere within the buildings. At last two Indians, gesticulating wildly, come out of the house.

The sad cortège enters the courtyard. The litter is set down.

"Mamma! Mamma!"

"Look, mamma, we are here at last. Papa is coming. Sawa has told him we are here."

Anna Sutter opens her eyes. She stares wildly around her. This great empty sky, this strange land, this wild vegetation, this big house which she has never seen before!

A man—an old man is making his way out of the house.

Anna Sutter struggles to rise.

"Johann!"

The word dies away in the death rattle that fills her throat.

All sorts of wild images swarm in her mind. Her head spins. There are flares of light, and inky shadows. Her ears are full of the sound of waves, breaking—breaking. She hears cries around her and takes a desperate hold on her senses. She recalls the kind voice of Jean Marchais, the ironworker, giving her instructions for his master. What were they? Her lips move. Johann August Sutter, who has flung himself on his knees beside the litter, hears her dying voice murmur: "Master. . . ."

Chapter Twelve

I

PÈRE GABRIEL, the protector of the Indians, has just been spending a few days at the Hermitage. His mission among the savages calls for him, and he is leaving before dawn.

Père Gabriel is a rough man who can neither read nor write. But his eloquence is a tradition among the Sioux, Osages, Comanches, and Blackfeet Indians who harken to him as to an oracle. He travels only one way—on foot. Johann August Sutter

accompanies him as far as the trail to the Sierra.

"Captain," says the old missionary to Johann August, wringing his hand at the moment of parting, "a great piece from the wall of the world fell suddenly upon your shoulders. But you are still erect amid the ruins. Lift up your head. Look well around you. Consider these thousands of souls who disembark every day to work and plan for the foundation of their happiness. A new life is beginning for them in this country. It is for you to give them an example. Courage. Take heart, old pioneer! This country is your true fatherland. To work! To work again!"

II

Sutter sets himself to work afresh.

It is no longer for himself; it is for his children now that he toils and plans.

He builds the farm of Brugdorf for his son Victor, and that of Grenzach for Arthur. Mina will have the Hermitage for her portion. As for Emile, the eldest son, he sends him East to study law.

Through Père Gabriel's help he has ob-

tained the new workers necessary for his enterprises. They are Indians and Kanakas who have abandoned the mines and liquor shops at the word of their beloved pastor.

The Hermitage is now a temperance center for Indians and Islanders alike.

Chinese coolies join them in parties that grow larger and larger.

Prosperity is reborn. But its life will be a short one.

III

Johann August Sutter cannot banish from his mind the memory of the blow that struck him down.

He is the prey of a somber terror. Little by little he ceases to take a personal part in the farm work. His faculties are no longer absorbed by it, as in the past. He has lost interest in such things. He has set his children in the right path, and success is assured them if they follow his directions.

He buries himself in the reading of the Apocalypse. He puts question after question to himself—and never succeeds in finding an answer. All his life (he is convinced of this) he has been an instrument in the

hands of the Almighty. But to what end? For what reason? This is what he sets himself now to discover. And he is afraid—terribly afraid!

He, the man of action *par excellence*, who has never known what hesitation meant, hesitates now. He becomes reserved, suspicious, moody, and avaricious. He is full of scruples. The discovery of gold turned hair and beard white. Now, the secret disquiet which is gnawing at his heart bows his shoulders, those heavy, wide shoulders of a pioneer and leader.

He goes dressed in a long woolen garment, with a little hareskin cap on his head. He stammers when he speaks. His eyes are restless. At night he cannot sleep.

Gold!

Gold has been his ruin!

He cannot understand it.

This gold—all that has been taken from the ground for four years—all that will ever be taken—belongs to him. It has been stolen from him. He tries to calculate roughly in his head the value of all this gold. One hundred millions of dollars—a

milliard? His head reels at the thought that he will never see a penny of it. It is an outrage. Just God! to whom shall he appeal?

"These men who came here to destroy my life . . . why? They burned my mills, ravaged and trampled on my fields, stole and butchered my stock, ruined my immense enterprise. Was this just? And now, tired of shooting and hanging one another, they are settling down, raising families, building villages and towns—on my land! And the law protects them!

"Lord God, if this was in the order of providence, why did I not profit from it? Why did I deserve total ruin? After all, these towns, these villages, belong to me. And these families and their workers, their beasts, their happiness . . . all, all, belong to me. What would You have me do, Lord God? Everything has gone to ruin in my hands. Fortune, honor, New Helvetia, my very wife, poor woman, have been taken from me. Is this possible? And why? What had I done? What can I do more?"

Sutter looks around him seeking help,

advice, some one to whom he can open his heart. But all seem to fly from him. There are times when he is tempted to believe that all his grievances must be the fruit of his own imagination.

At such times, with a strange revulsion of feeling, he thinks of his misspent youth, of religion, of his father and mother, of all that honorable and hard-working world. His grandfather, especially, is often in his mind, a man of rigid probity, systematic and just in all his dealings.

He becomes the victim of a mirage.

More and more his thoughts turn toward the little country of his youth, that peaceful corner of old Europe where everything is tranquil, ordered, in its appointed place. How smoothly life ran there! The houses had always stood in the same spot. The inhabitants had no history; they worked, they were content. The image of Runenberg hangs, like a picture, in his imagination. He recalls the fountain into which he spat at taking leave. He wants to go back there and die.

It is his grip on reality—his hold on the actual, practical world that is leaving him.

IV

One day he sits down and writes the following letter:

"MY DEAR MONSIEUR BIRMANN,

"You will have learned through my children the terrible disaster which visited us when my poor Anna died at my very door. It is the will of Divine Providence. But do you know the real extent of my ill-fortune? I do not want to begin over again the history of a catastrophe which is really the history of my life. I have turned it over again and again in my brain during the last four years, and the more I turn it over, the less I understand it. It is not my nature to complain. And yet it is a poor creature who writes you, broken, lame and foundered like some old horse. Still, I must tell you that I do not deserve the blow that has struck me, and that if there were a few errors in my youth, they have been dearly paid for. Do you know that I was living in this country like a prince, or, as our old country proverb says, 'like God in France.' The discovery of gold ruined me. I do not understand it. The ways of

God are dark. It was Mr. Marshall, my carpenter, who brought the gold to light while he was working on the foundations of my saw-mill at Coloma. At one blow of a pick everyone abandoned me, my workers, my overseers, my field-hands, everyone, down to my brave soldiers and a few confidential employees whom I certainly paid well enough. But they wanted more, so they robbed me, pillaged me, and went off to seek gold. Gold is an accursed thing, and those who come here seeking it, and those who take it from the earth, are accursed. Most of them disappear, none knows where. Life here for the last few years has been a hell on earth. Robberies, murders, assassinations! Every man turned to brigandage. Many went mad or killed themselves. All this for gold, and then the gold is turned into brandy, and after that I wonder what it turns into. Sometimes I think that the whole world has come here—to my place. There are men from all over the world. They have built towns, villages, and farms on my land, and divided up my plantations among them. They have built an accursed town called San Francisco, at

the very spot which I had chosen to land my poor Kanakas, and they too left me to go after gold and then after drink, and they would all be dead by now if good Père Gabriel had not gone to look after them and save them from the clutch of Shannon, the king of distillers, and bring them back to me, often at the risk of his life, and I found employment for them and they work now at the Hermitage with my good Indians and on the two new ranches which I have given the boys, Victor and Arthur, as they must have written you.

"To-day California is part of the American Union and the country is completely transformed. Dependable troops have been sent from Washington, but order is far from being restored. Every day newcomers land, and there are still mountains of gold for everyone. The old ones are almost all gone, where or how no one seems to know. The Beast of the Apocalypse is now at large in the country and the world is upside down. The Mormons have already departed with wagons full of gold. There is some talk of their having built a city on Salt Lake where they live in idleness and debauchery, for

they have planted vines the way I taught them when many of them worked for me, and they were sober fellows, and good workers, and now they seem accursed, like the others. Am I really responsible for all this? Sometimes when I think over my misery I believe I am. Troupes of actors travel about this region, too, and there are a swarm of loose women who come to make a fortune and take it home: many of them are French or Italian. The original proprietors are all at law with New York lawyers, who hand over title deeds to the newcomers. Everybody is going to law. I don't want to imitate them. But what am I to do? This is why I am writing you.

"Here is the situation.

"I am a ruined man.

"According to American law, half the value of all gold extracted belongs to me, and that means hundreds and hundreds of millions of dollars. On the other hand, I have suffered a loss almost incalculable through the discovery of gold on my property. All my estate has been invaded and laid waste, hence I am entitled to an indemnity. In the third place, I am the sole owner

of the land on which San Francisco has been built (except for a narrow strip along the sea which belonged to the Franciscan Mission) and of a lot of other sites on which towns and villages have been built. I am in possession of all the deeds for this property, which were given to me in the days of the Mexicans by two Governors—Alvarado and Michel-Torena, to reward me for my services and to reimburse me for the outlay made by me during the Indian wars on the Northern frontier. Fourthly, crowds of these new colonists have installed themselves on my property and show brand-new title deeds, although it was I and no other who put all this country under cultivation and paid cash for the best part of it to the Russians at the time they went away. Finally, the bridges, ditches, watering-places, inclosures, and roads, the jetty in the bay, the pontoons and mills which I built with my own money, are being used for the public service to-day and the government should pay me for them. Not to speak of the gold which will be extracted for the next twenty-five years, and on which I have a right of royalty.

"What ought I to do?

"The mere thought of the sum which it all represents makes me sick.

"If I once begin, it is not a question of one, but of a thousand lawsuits. I will have to proceed against tens of thousands of individual parties, hundreds of municipalities, the government of the state of California and the federal authority at Washington. If I once begin I shall have to spend, not one but ten, a hundred fortunes, though it is true that what I am claiming is worth it, for before the discovery of gold I was on my way to become the richest man in the world. But if I once begin, what I shall have against me is not a new country to conquer, as when I landed for the first time and alone on the sands of the Pacific, but the whole world, and I shall have to fight for years and years, and I am growing old, and am already a little deaf, and my strength might give way. It is for this reason that I sent my eldest son, Emile, to the Law School. All this immense affair of gold will come on his shoulders, and being used to such things all his life, he will not be so afraid of the Law and its traps and pitfalls, nor of lawyers, as his simple old

father, who admits he is very much afraid of them indeed.

"Honestly, I declare I cannot let everything go, like that, without opening my mouth. What an injustice!

"And yet, I often ask myself whether I have the right to intervene, and whether there are not too many human interests at stake which are beyond my control, and if God who sits on his Throne in Heaven has not his own designs for all these people whom he sends to this country. And I feel myself lost in His almighty Hand.

"What ought I to do?

"Gold brings misery. If I touch it, if I too pursue it, if I claim even what is my plain right, shall I too not be cursed in my turn, like so many of those others whose example I have had under my eyes and of whom I have just spoken to you?

"Tell me what I should do. I am ready for anything. Shall I abdicate? . . . disappear? I could, it is true, set to work and help Victor and Arthur, who are getting on very well. I could force the production of my ranches, stock-farms, plantations to the maximum, put fresh areas under cultivation,

wear my Indians and Kanakas out with work, engage in speculation—in a word, make the money necessary for all these lawsuits and go on with them till my strength gave way. But is it necessary? I am homesick. I am always thinking of our beautiful canton—of Basle—and I long to see it again. God! how fortunate are you to be able to stay at home. I could sell my two ranches and the Hermitage, turn everything into cash, come home and settle my children in Switzerland. Tell me—should I do this, or would it be desertion? Have I the right to abandon this country, to which I have given my life, and which (I feel it) will yet have mine? Tell me what to do, dear Monsieur Birmann. I will follow your advice to the letter, and will obey you, blindly, in everything.

"I am writing to you because Père Gabriel spoke to me of you when he came to the ranch to bury my poor Anna. He tells me he has known you from a child. I believe he is a native of your village. From what I have always heard said, his real name is Merz, but I am not too sure of that, for he is as close-mouthed as the Indians, to whom

he has devoted himself, body and soul, and never speaks of his family, except this once, to let me know that he remembered you very well. In old days when I was fighting on the frontier, I had no more bitter enemy than he. He was angry with me for making the Indians and Kanakas work, all the more so because I was a countryman of his. But afterwards he began to see that I could have undertaken nothing without them, and that they, on their part, could not have existed without me, abandoned as they were by the Mexicans. As for the Kanakas, I have never been a wicked man and Père Gabriel knows it well. That is why, at the moment of my great disaster, he was the only man who came to me, while all the rest abandoned me, and since then has remained ever faithful, and it is thanks to him that my children have been able to make themselves a place in the world. He is a saint, and I pray God to have him in His holy care.

"As also yourself, dear Monsieur Birmann, who have been a father to my children during so many years, and whom a father in his turn and in the name of these very

children implores to-day, asking: 'What should he do . . . ?'

"Amen.

"Your brother in Jesus Christ

"Johann August Sutter, Captain."

V

Johann August Sutter has not waited for a reply to his letter from old Martin Birmann, lawyer by profession, and honorary treasurer of the community of Jeanbaptistes, in his little village of Botmingen, Canton of Basle.

Johann August Sutter has started his lawsuit.

His lawsuit!

A lawsuit that stirred California to its depths and which even put the existence of the newly formed state in peril. A suit to which there is no such thing as a disinterested or indifferent witness. Everyone is involved, because the rights of all are challenged.

Johann August Sutter claims first of all exclusive proprietory rights in the land upon which are built San Francisco, Benicia,

Sacramento, and Riovista. He has had these areas valued by a commission of experts and estimates the value due him at two hundred million dollars.

He brings suit against 17,221 private parties who have trespassed upon his plantations, summons them to vacate their holdings and to pay him full damages and interest to date.

He demands $25,000,000 from the government of the state of California for having appropriated his roads, irrigation ditches, bridges, inclosures, mills, his piers and storehouse on the waterfront, and for having placed them at the disposition of the public.

An indemnity from the federal government at Washington amounting to $50,000,000 on the ground that (1) It failed to keep public order at the moment of the rush to the mines or to maintain discipline among the federal troops sent into the region, who, deserting by large bodies, became a principal element of disorder and committed the most flagrant depredations, and (2) It failed to take the necessary measures to collect the royalties due to the state and to him, Sutter, upon the production of the mines.

He demands judgment upon the principle of his rights to a part of the value of the gold extracted to date, and asks that a commission of jurists be appointed at once to pronounce upon the proportion due to him upon gold extracted in the future.

He asks for no penalty against any person or persons whatsoever, neither against the authorities who have betrayed their mandate by failing to exact respect for the law, nor against police officials who have shown themselves incapable of maintaining public order, nor against functionaries for their malfeasance. He bears no ill-will to any party. What he asks is justice pure and simple. For that he makes his appeal to the law and places his confidence of redress in precedents already well established.

Emile has returned from law school and gives his entire attention to this monstrous case. He is surrounded by four of the most eminent lawyers in the Union. A knot of attorneys and secretaries "all busied on the case" are housed in an office at the corner of Commercial Street and the Plaza Mayor, in the center of San Francisco.

The town governments begin an energetic

defense. San Francisco, Venicia, Sacramento, Fairfield, Riovista, even the smallest municipalities appoint attorneys with a permanent fee whose sole business shall be this affair and opposition by every means and at all costs to the pretensions of Sutter. Individual defendants get together, form defense syndicates and place their interests in the hands of highly paid lawyers from the East. Lawyers are at a premium. The most pettifogging practitioner finds a demand for his services. In all the territory of the United States it would be hard to discover a single lawyer without a brief of some sort, or kicking his heels in a bar for lack of business. Attorneys, notaries, bailiffs, commissaries, licentiates, and law students descend upon California and mingle with the ebb tide of the gold-seekers. It is a new rush, a mine that no one had suspected. Everyone looks for a living, fat or lean, off the Sutter case.

"The Sutter Case. The Sutter Case. . . ."

VI

During all this time Sutter never once sets his foot in the city. He remains on his

ranch. All his energy and all the activity of old days have come back to him. His faculties are at their apex. Everything he touches turns to money.

For money he must have—money, and then more money, to pay for this welter of legal procedure.

His "case"!

It drags its slow length along in San Francisco, the accursed city on which Sutter has never set eyes save from afar.

VII

Four years have passed. The affair follows its course before the courts.

By one means or another Sutter contrives to pay the colossal costs of this unprecedented suit.

All his enterprises prosper. The Burgdorf and Grenzach ranches supply San Francisco with milk, butter, cheese, eggs, chickens, and vegetables. At the Hermitage, he inaugurates the industry of canned fruit. It is mainly from his sawmills that the lumber comes for the construction of innumerable towns and villages. He has a nail factory, a pencil factory, a paper

mill. He is planting cotton afresh and has plans in his head for spinning looms.

The inhabitants of the country, who owe him everything, follow with terror the progress of this new fortune and the growth of this formidable power in their midst. Sutter is unpopular. Sutter is hated. But he does not care a rap. His products are indispensable and he exacts the last penny from their consumers. "I have them by the throat, these dirty robbers," he chuckles. "It is they who will pay the lawyers' costs," he tells himself when planning some new scheme and reckoning its profits in advance. Nevertheless, by a strange paradox, this man whose demands for money are so insatiable refuses either to distil liquor or to wash for gold. On the contrary, he is in close touch with religious circles in Philadelphia and leads an ardent temperance campaign among the Indians, the white, and yellow races impartially. (It is true that he attacks whisky and brandy—never wine, whose enormous consumption in the country is met from his vineyards exclusively.) As for the gold-seekers who sometimes wander his way, he abuses them pitilessly—they are the ac-

cursed of God. He rarely has time to open the Apocalypse now, but it is always in his pocket. Despite his crazy and abnormal energy, there is a great fear in his heart. This stubborn litigant is by no means sure of his rights before God.

Toward the end of the fourth year his enemies strike a terrible blow. The offices of his son Emile are burned to the ground by an incendiary. The ragamuffins of San Francisco join hands and dance round the flames as around a festive bonfire. The entire country rejoices when it becomes known that most of the documents essential to the famous case have been lost in the fire, notably the original deeds from Governors Alvarado and Michel-Torena. At this news the new settlers who have squatted on his property are in rapture. The townsmen parade the streets to the cry of: "We've got the old wolf—we've got him where the hair is short."

To all appearance Johann August Sutter receives the terrible shock without a tremor. He redoubles his industry. He gives orders to his lawyers to press the case harder. But

in his heart he feels his forces ebbing and his apprehensions growing stronger.

Again the judgment comes from on high.

"O, God! . . .

"I have no longer the force to protest. I do not murmur—neither do I surrender. Deal with me as You will. I fight on!"

Chapter Thirteen

I

THE 9th of September, 1854, is a public holiday throughout California.

The fourth anniversary of the entry of the state into the Union and the fifth anniversary of the founding of the city of San Francisco are being celebrated jointly.

For two weeks crowds have been arriving in town by every road and from every corner of the state. The capital is decorated with garlands and lanterns. The Star-spangled Banner floats from windows, from

roofs and steeples, and from points on the surrounding hills. At night the sky is red with rockets and giant Roman candles. Salvos of musketry and field-guns split the air all day. The theaters are packed. A French company is playing at the Adelphi. Opera is being given at the Jenny Lind, which boasts the first stone front in the mushroom city. At the corners of the main streets demagogues are spouting, surrounded by a gaping audience, dazzled and fevered at the prodigious future for state and city which the orators are prophesying. Throughout this young and vigorous community to-day two sentiments and two only are owned. Confidence in its strength—ardent patriotism for the Union of which it has become so recently a part.

The bars are taken by assault, and the saloons full to their doors. It is from such famous resorts as the Arcade, the Belle-Union, the Eldorado, the Polka, and the Diana that the popular enthusiasm begins which ends by demanding a monster demonstration in honor of Johann August Sutter. Committees are chosen, delegations formed. Colonists, workmen, gold-diggers, women,

children, soldiers, sailors, merchants, and dealers of every grade, are in the crowd that pours toward the Hermitage, cheers frantically beneath Sutter's windows, invites him to leave his house, takes him captive, and carries him back to the city in triumph.

Along the route a tempest of acclamations salutes the old pioneer, the "Ancestor." The entire population of San Francisco seems to be in the streets. Guns are fired, bells ring, bands play. The men wave their hats, the women their handkerchiefs, flowers rain on his head from balconies; roofs and walls are fringed black with spectators who cling together insecurely, singing and shouting.

At the City Hall Mayor Kewen surrounded by state and federal functionaries, presents Johann August Sutter solemnly with a commission as general.

The procession re-forms. All eyes are riveted on the splendid old man who rides at the head of the troops. He is mounted on a magnificent white horse and holds in his hand his new general's baton. Imme-

diately behind him ride his three sons, then comes the First Regiment of the California National Guard. Field artillery and light cavalry close the cortège.

II

Watch General Johann August Sutter as he rides through the streets of San Francisco at the head of this citizen army!

He is dressed in an old-fashioned frock coat, far too tight for him and whose long skirts flap against the buttocks of his horse. His legs are covered in checked trousers stuffed into high soft boots. A broad-brimmed felt hat is on his head.

As he traverses the city which he is seeing for the first time, his heart is the prey to a host of bizarre emotions. These cheers, these plaudits, these poseys of flowers which fall on his head and shoulders, these bells, songs, salvos of cannon, these bugle blasts, these windows filled with gayly dressed women, these interminable streets and raw, boastful palaces—all seem to him unreal. Six years ago he was living on this very spot, alone, in the midst of his Indians and Kanakas.

Is it all a dream?

He closes his eyes.

He desires to see no more, hear no more.

He drops the reins and rides along as his horse takes him.

The procession halts at the Metropolitan Theater, where a vast banquet and half a hundred speeches and orations are awaiting him.

III

Extract from the speech of Mr. Kewen, first mayor of San Francisco:

" . . . This pioneer, gentlemen, filled with courage and urged by a strange premonition, leaves behind him the fair memories of youth, tears himself from hearth and home, abandons the family circle and his native hills, and reaches this land of peril and adventure by paths no feet had trod before. He traverses arid plains under a burning sky, he scales mountains, penetrates valleys, crosses ranges bristling with rocks. In spite of famine, hunger, thirst, and fever, in spite of fierce savages who lay

snares for him and lurk in the brush along his trail, he presses on. Like the traveler in his own Alpine country, whose eyes, as he travels, never leave the summit, covered with eternal snows, which is his final goal, and who thinks only of the pure and life-giving air he will find upon the peaks and the panoramic view that will lie outspread at his feet, he passes onward and onward, his eyes fixed upon that spot where the sun, night by night, plunges his golden sphere in the fair ocean of the west.

"Behold him like Moses, long ago upon Mount Pisgah, standing erect upon the snowy crest of the Sierras. His eyes flash. His soul expands. At last, he beholds the promised land. Happier than the great law-giver of the Israelites, it is his privilege to penetrate—to enter that smiling land. He descends the slope, armed with new courage and renewed faith. He dedicates this new country of which he is the discoverer, to God, to liberty, and to his dear country Switzerland.

"Gentlemen, in the history of centuries that are past and nations that have disap-

peared, there are certain names of great men which the world cannot, if it would, forget. The name of Epaminondas is a synonym of virtue and love of country which encircles like a glorious halo the history of the deliverance of Thebes. The name of Hannibal, the dauntless, who led his victorious army across the Alps, and whose African legions trod the classic soil of Italy, will survive when the history of his native Carthage is forgotten. When we name Athens we name her divine sons, and the glory of Rome is consecrated by the glory of her illustrious leaders.

"In days to come, gentlemen, when the state that is our home has become one of the greatest and most powerful countries in the world, and when the historian of the future seeks to trace its origin and foundation back through the misery and privations of its early beginnings, and to recount the epic beginnings of the fight for liberty in the great West, one name will outshine all others—the name of our distinguished guest—the immortal SUTTER!" (Loud and prolonged applause.)

IV

Speech follows speech.

General Sutter is miles away, lost in a profound reverie.

A tornado of cheers shakes the roof of the great theater. Ten thousand voices shout his name.

Sutter does not hear them.

He is playing nervously with the ring which he wears on his finger, turning it round and round, shifting it nervously from one hand to another. As he fingers it, he repeats under his breath the inscription which he has had engraved inside it:

"First Gold—Discovered January 1848."

Chapter *Fourteen*

I

ALL this is in the autumn of 1854. The spring of 1855 brings a new triumph for Johann August Sutter.

On March 15th Judge Thompson, the highest law officer in California, delivers judgment in the Sutter case.

He admits the justice of the petitioner's claim, recognizes the grants made him by the two Mexican governors to be sound and inviolable in law, and declares the immense territories on which so many towns and villages have been built the indisputable,

unassailable and personal property of Johann August Sutter.

The judgment and the argument in law upon which it is based, make a small volume of more than two hundred pages.

II

It is Jean Marchais who brings the first news of the judgment to the Hermitage. He finds his master reading a pamphlet on the best method of breeding silk-worms.

Sutter leaps across the room, seizes his frock coat, and brushes it himself with great sweeps of his arm. The judgment is against the United States. Quick and decisive action is called for. Confirmation must be sought immediately in the highest federal court of the land. There is not a moment to lose. Through a sort of childish vanity, Sutter makes a point of arriving at Washington before the official courier carrying the judgment. He will present himself in person before the Supreme Court.

"Thompson!" he cries as he puts his shirt with embroidered bosom over his head. "There is an honest fellow! . . . O God, I

never doubted You!" he murmurs as he pulls on his great boots.

"I thank Thee! I thank Thee!" he cries aloud.

He buttons the cuffs of his shirt—buckles his heavy revolver belt round his waist. Justice at last!

"Justice!"

He puts on his broad-brimmed felt hat and looks at himself in the glass.

How happy he is! Perhaps for the first time in his life he smiles at his reflection in the mirror.

He bursts into laughter at the joke which he is about to play upon the official messenger by arriving at Washington before him and being the bearer of his own good news! What a bolt from the blue! "I shall take the road over the Sierras, and as I pass Père Gabriel's I shall tell him the news. There's another honest fellow! No doubt how *he'll* feel about it. And Shannon can look out for squalls. We'll be making the law now, and he had better behave. Whom shall I take with me? Bill, Joe, Nash—that will be enough. I shall stop over with the Mor-

mons, and by Nebraska, the Missouri and the Ohio, I shall arrive at Washington like a whirlwind. Wait till they see us, me and my three Indians, making our entry into Washington on horseback. . . . Unless the Mormons take me by the Platte River and I get the train. . . . They say the railroad is at Des Moines now.

"The honest fellows . . . the honest fellows . . . !"

In his haste he does not let even his sons know of his departure. It is only as he is jumping into his saddle that he calls over his shoulder to Mina, who has run out from the garden. "Tell the boys I'm off to Washington. We've won—won! The case is all over. Tell them! Send Marchais with the news. Good-by, sweetheart, and not for long."

He spurs his horse and dashes at full speed up the road to the Sierras, followed by his three Indians.

Johann August Sutter leaves everything behind him.

All save one thing. . . . His sentence is riding with him.

III

The little party has galloped all day and all night and the day following. Their horses have hardly been given time to breathe. At about three o'clock on the second morning Sutter and his three Indians emerge from the forest and halt outside the mission post which Père Gabriel has built at the mouth of the pass. The night is inky black. There is not a star visible in the heavens. Heavy clouds are shutting down on the crest of the Sierras. Men and horses are breathing hard.

Père Gabriel is standing on the edge of a little stone terrace which surrounds his chapel. Indians—men, women and children—are at his shoulder. Their eyes are all turned in the same direction, to where a ruddy reflection seems to be creeping up the sinister sky.

"Thank God! It is the captain," cries the old missionary.

"General—general, please," cries Sutter in a ringing voice as he jumps from his horse. "They have made me general. It's all over now. I've won out. Judge Thompson has

found for me. The big case is over. I'm on my way to Washington to register the judgment. The country belongs to us. Watch it from now on. Reforms! You're going to see something."

"Thank God!" repeats Père Gabriel. "I was anxious about you. Look at that below . . . down in the valley."

Sutter turns his head and looks.

Beneath them the sky is as red as dawn. The glare is intermittent. It grows vivid and sullen by turns, like the reflection of a fire upon which a giant bellows is playing.

It cannot be a forest fire, for it comes from the plain. It is not a prairie fire, for the dry season is a long way off. It cannot be the crops on fire, for this is not harvest season. And the direction—due northeast!

It is the Hermitage!

Sutter jumps into the saddle of his tired horse, wrenches its mouth round, and rides at full gallop back toward his home.

IV

The moment Judge Thompson's judgment is made public the entire city of San Francisco is in ferment.

Groups gather at street corners. The bars and saloons are invaded by a vociferous crowd. Violent discussions break out. Orators appear from nowhere. The distillers offer free drinks and stave in the heads of spirit casks upon the steps of their establishments. The attitude of the crowds becomes menacing. Sutter has so many enemies! Emissaries from the opposite party go about stirring up trouble, and the lawyers who had been engaged on the other side busy themselves starting demonstrations and pouring oil on the flames. Meetings are held in every quarter. In the evening rioting breaks out. The Law Courts are set on fire, the Record Office sacked, the state archives destroyed, the prisons taken by assault. There is a suggestion that Thompson be lynched. By morning the entire country is in revolution and bands are forming.

The authorities are helpless.

The people who a few months ago had cheered for General Sutter, who had gone to seek him and carry him to the city in triumph on their shoulders to make of his presence at their fête an apotheosis unique in the history

of the United States, are on the march once more toward the Hermitage.

But, this time, to attack and destroy.

There are ten thousand of them, and their number grows at each step they take. They are armed to the teeth and wagons accompany them loaded with barrels of gunpowder. The Stars and Stripes floats above the heads of the mob, and it is to cries of: "Hurrah for America!" . . . "Hurrah for California!" that the orgy of destruction takes place.

The Hermitage is set on fire. Workshops, saw-mills and factories are blown sky-high. The fruit trees are cut down level with the ground, the irrigation ditches filled in, every head of stock is shot down, and such Indians, Chinamen, or Kanakas as the crowd can seize are hanged ten feet high. Every object that bears the brand of Sutter disappears in the flames. His plants are stamped into the ground, his vineyards hacked to shreds. The cellars are opened up and the reserves of wine poured into the ground. The destructive fury of the mob grows with the havoc it wreaks. It kills, smashes, burns, and robs,

and its madness reaches such a pitch that even the chickens in the hen-yard are shot down by salvos of musketry, fired by word of command. When their work at the Hermitage is done the mob goes on to Burgdorf and Grenzach, where the same hideous scenes of massacre, incendiarism, and destruction are repeated. The fences are sawn through, the roads dug up, even the bridges blown into the air.

Ruins . . . ashes. . . !

Four days after his joyous departure Sutter returns home. Nothing of his immense enterprise remains.

A sour smoke is still mounting from the ruins. Flocks of crows, vultures, and turkey buzzards are fighting over the cadavers of his prize cattle and horses, which lie here and there as they fell about the trampled plantation.

From the limb of a big banyan tree dangles the corpse of Jean Marchais.

This time everything is lost.

It is the end.

Forever.

V

Sutter looks upon the scene of devastation with dull eyes.

He is overwhelmed.

His life, his early misery, his privations, his energy, his dauntless will, his perseverance, his endurance, his hopes—all, all have come to this!

His books, his papers, his instruments, arms, tools; his bear-skins and puma-skins, his furs, his walrus-tusks, his whale-fins, his stuffed birds, his collections of butterflies, his Indian relics, his samples of amber and ambergris, his cabinet of minerals and precious stones—all lie buried somewhere beneath those smoking cinders.

Everything dearest to him—everything that stands for the life and pride of manhood, has gone up to heaven in smoke.

General Johann August Sutter, as he stands there, has not a thing of his own in the world save the clothes on his back, his saddle bags, and the book of the Apocalypse in his pocket.

He who once was on his way to become the richest man in the world!

Tears fill his eyes and trickle down his worn cheeks.

He is a broken man.

VI

Suddenly he thinks of his children.

Where are they? What has become of them?

He wanders about the country seeking them, from ranch to ranch, from settlement to settlement. Everywhere the settlers laugh at him, make fun of him, amuse themselves at his expense. There are some who insult him. Children throw stones at him as he turns away.

Sutter has no answer on his tongue. Scoffs—insults, he swallows all without a word.

A sense of illimitable guilt is pressing him to the earth.

Sometimes he stammers a prayer: "Our Father, Who art in Heaven . . . "

He falls into a premature second childhood.

Poor—poor old man!

VII

Months pass before his melancholy pilgrimage brings him to San Francisco.

In the city no one recognizes him. He is terrified in the midst of the big buildings which are rising from the ground, the maze of streets, the lumbering wagons and rapid runabouts, the busy foot passengers who shoulder him aside. He has, above all, a positive horror of the human face, and he walks with his eyes on the pavement that he may look upon no countenance.

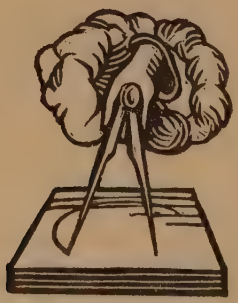
An overwhelming misery can be read in each line of his own face. By night he sleeps on the waterside. By day he begs in the outlying quarters. He often stands for hours before the waste land on which, so short a time ago, rose the law offices of his eldest son.

One day he knocks listlessly at the door of the Thompson home. Here he finds his daughter, who has been compassionately taken in by the judge's family. Mina is still in bed suffering from the shock to her nerves. Her hands and face twitch. She finds difficulty in pronouncing her words.

At last he has news of his children. Victor has embarked for Europe. Arthur was slain in defending his property. As to Emile, the eldest, the lawyer son who had the family case in his hands, he has committed suicide in a low resort near the harbor.

As Sutter is completely deaf, the dreadful tidings have to be shouted over and over again, before they pierce his ears.

"Thy will be done. Amen," he says in a low voice when, at last, he has understood.



Chapter Fifteen

I

AT the foot of the Twin Peaks stands a big white house with wooden portico and columns. There are flower beds under its windows and a great natural park surrounds it.

This is the country home of Judge Thompson. Here, toward the end of each summer, he loves to seek a refuge from his work in the big city. Here he spends many happy hours, inspecting his nurseries and rose bushes, a volume of Plutarch's Lives under his arm. In this quiet retreat Sutter comes

back, little by little, to life and consciousness.

His legs are weak and he has become enormously fat. Long white hair falls untidily upon his shoulders. There is a nervous tremor down the right side of his face, and his eyes are watery.

His daughter Mina, tenderly nursed by Mrs. Thompson and with youth and strength in her favor, has recovered from her terrible shock. She is engaged to be married to a young dentist, Ulrich de Winkelried. The marriage has been set for Christmas. Absorbed as she is in her happiness, the sight of her old father, tragic and demented, becomes intolerable to her. She spends her time with the Thompsons in the city, sharing their happy domestic life, and busy, under Mrs. Thompson's maternal direction, with the furnishing of the new home.

Johann August Sutter once more is alone in the world.

II

He comes and goes restlessly under the great trees, or spends hours in silent con-

templation before a rose-bush that is breaking into bloom. He speaks to no one. Sometimes he comes to a sudden stop before one of the gardeners, makes a gesture as though he were about to ask a question, turns his back abruptly, and is gone without opening his mouth. He disappears down some gloomy alley, the skirts of his frock-coat fluttering in the wind. Far away can be heard the boom of the Pacific surf as it pounds upon the beach.

Twice a week Judge Thompson comes out to see the old general.

III

Of all the millions in the vast territory of the United States, Thompson is perhaps the only one who appreciates the tragedy of the general's life. His is an exceptional mind, just, well-balanced, and understanding. He has studied Greek in his youth and has kept his love of the classics, with a certain faculty for reasoning which leads him naturally to lofty conclusions. He has a strong penchant for logical deduction. He is an honest and impartial judge, with a strength of character that knows how to make his decisions re-

spected. A certain natural propensity of mind leads him to contemplation. He understands the full pathos of Johann August Sutter's career.

He has taken personal charge of his affair, reviewing all its aspects and spending entire nights poring over the documents in the case. He has nothing to reproach himself with. His judgment has been rendered after careful study, according to his conscience as judge and citizen, in full accord with equity—the spirit and letter of the law. . . . But to-day he understands that the question is not so much of the law as of the salvation of one old and hapless man, and his heart is his counselor. Whenever he goes to visit the General, he spends hours attempting to make him see reason and common sense.

Meantime he shelters him and surrounds him with the care that his condition demands.

IV

"Listen to me, General! You have suffered enough already. Why not try to get this affair, which has cost you so much misery

and unhappiness out of the way once for all? I have thought upon it a long time and this is what you ought to do now. Withdraw all suits so far as individuals are concerned. Surrender your rights as proprietor of land which passed into other hands long ago, and which is now registered under entirely new titles. Give up all idea of a share in the value of gold either extracted or to be extracted in the future. Believe me, neither the state nor the federal government will ever collect a penny. Make the announcement that you are ready to compromise, for, let us say, a million dollars, under the head of indemnity, and I will leave no stone unturned to get it for you. If you really want to go on working, demand new concessions in land. Thank God there is no lack of that among us, as you know well, and we have room for everybody in this very state. But don't go on with this case, which will lead you nowhere. There are too many private interests at stake on the other side. The lobbies at Washington are full of people working against you. Come, what do you say. Shall we throw in our hand?"

"Judge Thompson," is the general's invar-

iable reply, "you have rendered judgment according to your conscience and the sentence has been pronounced. And to-day you talk to me money. Tell me, what am I asking for? Justice—neither more nor less. The highest tribunal of this land is there to say whether I am right or wrong. And it shall. Now, it is no longer to men, but to God, that I appeal. I must carry this affair through to the end, and if justice is not rendered me in this world, it is a consolation to think that it will be in heaven, and that I shall confront my enemies one day at the right hand of the Almighty and All-Just."

"But—your children. Think of Mina, who is about to marry—your grandchildren. . . ."

"Judge Thompson, a man such as I has no children. He is accursed, a barren tree. That was the great error of my life. Arthur was slain. Emile a suicide. You yourself have told me that Victor might be considered as dead, the Golden Gate having disappeared in mid-ocean at the entry to the Straits of Magellan. I do Mina no wrong in going on with this case, since I have nothing and have been able to give her nothing.

On the contrary, should I win at last, I will have been working for my grandsons and for seven times seven generations still to come."

"But what are you going to live on, meantime?"

"God, who took everything from me, will provide. Does He not feed the birds of the air?"

"I beg you not to go. This is your home so long as you care to stay with us."

"Until Christmas—and no longer. Mina will be married then. We shall see whether there are judges at Washington."

V

Mina has married her pianist. The general has kept his word and set off for Washington. He has a certificate of identity from the mayor of San Francisco, and in his pocket the famous Thompson judgment, together with his volume of the Apocalypse. Thompson has succeeded in obtaining from the state government a life pension of three thousand dollars a year for the old general.

Chapter Sixteen

I

YEARS pass. All Washington gets to know the general. His big clumsy figure, his feet, which drag along the ground in down-at-heel shoes, his frock-coat, spotted with grease and covered with dandruff, his big bald head, nodding convulsively under its battered felt hat, are among the sights of the Capital City.

At first, thanks to the intrigues set on foot by his adversaries, he is harshly received. But, as years go by, many of his enemies die and functionaries are transferred or retire.

A day comes when no one knows exactly what this senile madman wants. Who is this old general who has been in the Mexican War and who babbles about gold mines? There must be a tile loose—and a big one at that! A favorite sport among the attendants is to send him from one office to another. The General knows all the ins and outs of the Law Department by heart, and the corridors that lead to every ministry in Washington. He comes and goes, he climbs and descends staircases, he knocks at doors, he waits patiently in passages, he walks thousands of miles, he returns upon his traces thousands of times. He is for all the world like a man lost in a maze.

But he never despairs.

II

During these years Johann August Sutter subsists on his pension as general. "Subsists" is rather a figure of speech. In reality his pension is swallowed up every year by shady lawyers, unscrupulous go-betweens and minor officials who periodically pretend to interest themselves in his case.

In 1863 a young Danish swindler from

New York, whose acquaintance he has made at a religious revival, takes his papers, presents him next day to a confederate whom he passes off as a secretary at the Ministry of Justice. The precious pair take complete possession of the general. Sutter writes to Judge Thompson that his case is in the hands of God, and that the Minister is about to plead his case in person. He asks for ten thousand dollars—for the Minister! Mina, to whom he also writes, sends him one thousand dollars. He manages to have the meager marriage portion of his dead wife released and sent to him from Switzerland. All the money he can scrape together goes into the hands of the two crooks, who disappear one fine morning when their victim is squeezed dry.

Time and time again lawyers, real and sham, call upon him, listen attentively to his case, and make him sign a mass of documents by which Sutter assigns to them a quarter, a half, or even the whole of what he hopes to gain. For what are money, gold, real estate to him by now? It is justice for which he is fighting—a judgment—a sentence!

He falls into destitution and misery. To

support life he takes to all kinds of casual jobs. He polishes shoes, runs messages, washes dishes in a soldiers' eating-house, where his title of general and his horror of whisky make him a popular figure. Mina sends him one hundred dollars a month, which goes with the rest, into the hands of a knot of crimps and rogues who leech on the poor old man. "The Case" takes everything—to his last dollar.

In 1866 Sutter presents himself before Congress and claims a million dollars in cash and the restitution of his plantations. To this step he has been persuaded by a certain Polish Jew.

In 1868 Sutter presents a petition to the Senate, in which the affair is detailed at great length. He will compromise for five hundred thousand dollars and the return of his land. The idea comes from the brain of an infantry sergeant of his acquaintance.

In 1870—a new petition to the Senate. It is drawn up by a certain Bujard, a photographer from the canton of Vaud. Sutter now claims no more than one hundred thousand dollars. He surrenders his land, promises to leave the territory of the United

States and return to Switzerland. He cannot, he says, "after having been the richest man in the United States, return to his own canton destitute and become a public charge in the commune of his origin."

In 1873 he joins the Herrenhutter sect, confides his entire case to the Council of the Seven Johannite Ancients, and signs an instrument by which he bequeaths his eventual fortune and his Californian possessions to the fraternity, "so that in those beautiful valleys the stain of gold may be effaced by the purity of our first parents." The famous case is reopened, conducted this time by a member of the bar who is the founder and spiritual director of this German-American communist sect.

Sutter leaves Washington and goes to Lititz, in Pennsylvania, to be baptized and purified according to the great Babylonian rite. He is now a soul washed white as wool, an intimate of the Most High.

III

The Herrenhutter of Lititz have their headquarters on a big estate which they own

in common and where they cultivate immense fields of wheat. They also own an oil-well. The sacks of flour and barrels of petroleum which they send to the seacoast are all stamped with their registered trademark, a paschal lamb holding a banner between its feet. On the banner are stamped the initials, J. C. They stand, not for Jesus Christ, but for Johannes Christitsch, founder and grand master of the sect. Christitsch is a lawyer of Servian origin, a tricky and formidable pleader, an unscrupulous and enterprising business man, who is building up one of the largest industrial fortunes in the country on the backs of four hundred enthusiasts and visionaries, nearly all of German descent.

The principal articles of faith of the sect are: community of wives and goods, regeneration by work, certain "Adamist" rules of life, ecstasies, and possession by the Spirit. Their only gospel is the Book of Revelations. Sutter becomes rapidly famous through the profound knowledge which he has of this book and the personal commentaries which he gives upon its prophecies.

IV

The Great Harlot who has given birth upon the Sea is Christopher Columbus, discovering America.

The Angels and the Stars of St. John are in the American flag. With California, a new star, the Star of Absinthe, has been added.

Anti-Christ is Gold.

The Beasts and Satans are the cannibal Indians, the Caribs and Kanakas. There are also black and yellow ones—the Negroes and Chinese.

The Three Riders are the three great tribes of Redskins.

Already a third of the peoples of Europe have been decimated in this land.

"I am one of the twenty-four Ancients, and it is because I have heard the Voice that I have descended among you. . . . I was the richest man in the world. Gold has ruined me. . . ."

A Russian woman falls down in ecstasy at Sutter's feet while he is expounding the visions of St. John the Evangelist and recounting the episodes of his own life.

V

But Sutter is not permitted to give himself up to his rapturous madness.

Johannes Christitsch is his evil genius. It is Johannes Christitsch who reopens the historic case, who conducts it personally, and is determined to win, cost what it may. Christitsch goes to Washington every week. There he solicits, intrigues, fills up reams of stamped paper, flourishes briefs, rummages archives, brings new facts to light, and by his feverish energy galvanizes the ancient process into new and spasmodic life. Often he brings Sutter with him, or sends him in alone. He exhibits him, makes him speak—becomes his manager, in a word. Somewhere or another he has unearthed a general's uniform. He insists that the old man shall put it on, and even pins decorations on his breast.

So the martyrdom of the general commences afresh. He is dragged from office to office, from department to department. High officials deplore the case of this aged victim, take voluminous notes, promise to intervene and obtain him full satisfaction. When he is alone, groups of idlers form

around him and make him tell them the story of the Discovery of Gold. Sutter is quite willing. He mixes his beloved Apocalypse and the doctrines of the Herrenhutters into the story of his life. His wits are gone. All the urchins of Washington can tell you he is crazy, and their amusement knows no bounds.

The old fool.

"The richest man in the world."

What a scream!

VI

In 1876, Johannes Christitsch, by dint of pulling wires, has Sutter named honorary president of the Swiss section at the Centennial Exposition at Philadelphia. He profits by this to make valuable connections at the Consulate. He even has the idea of bringing diplomatic action to bear to speed up the case.

VII

In 1878 Sutter and he settle definitely in Washington. The case is going well. Influential people in high political circles are giving it their attention. Sutter has what is

almost a return of his senses. He is quieter and less inclined to talk in the street.

In January, 1880, Johann August Sutter is summoned to Congress and told that the federal government is on the point of "recognizing his services." His case has aroused interest in "high quarters," where it is considered that "his pretensions are not exaggerated." There is a disposition to grant him a large indemnity.

From this moment Sutter begins to slip from Christitsch's hands. His agitations and fevers begin over again. He cannot sit still, but is on the move day and night. He spends nearly all his days at the Capitol, harasses the officials incessantly, wants to know at every moment if there are any new developments and when Congress will deliver its judgment. His patience gives way. Often he follows certain members of the House to their homes, accompanied by a band of ragamuffins who never leave their "general" and who cheer loudly whenever Sutter creates a scene. These are frequent now. The general becomes violent at very slight provocation and his escort make him worse. He is very proud of his success with

the crowd. In his clouded mind these children symbolize the Army of the Just.

"When I have won," he tells them, "I will give you all my gold—gold that has come back to its rightful hands—just gold—refined gold."

The Gold of God!

VIII

One day, upon the streets, he meets three orderlies who are taking a lunatic to the asylum. The man in their clutches is a ragged and filthy creature, an old man, who gesticulates, who fights with his guardians, and who shouts incoherently. Breaking for a moment from their hands, he flings himself in the gutter, filling his mouth, his eyes and ears with garbage and grasping handfuls of mud and manure between his skinny, yellow fingers. His pockets bulge with ordure and he has a sack filled with stones.

While the orderlies are binding their patient the general looks at him closely. It is Marshall—Marshall the carpenter of Fort Sutter and Coloma. Marshall recognizes his old employer. "Master, master, didn't I tell

you? There is gold everywhere—everywhere!"

IX

One warm afternoon in June the general is sitting on the bottom step of the great flight that leads to the Capitol. Like many aged men, his head is quite empty of thought. He is simply enjoying a rare moment of physical well-being as he warms his old carcass in the sun.

"I am the general, general, general.

"I am the gen-e-ral!"

A ragged street urchin of seven is running down the great steps, taking four at a stride. It is Dick Price, the little match-seller, the old man's favorite.

"General! General!" he cries, flinging his arm round the drowsy old man's neck, "you've won! Congress has just settled it. A hundred million dollars—all for you, General!"

"You're sure . . . ? Sure . . . ?" cries Sutter, holding the wriggling boy tightly.

"Sure, General! It's in all the papers. Jim and Bob has gone to get them. I'm

going to sell papers to-night! You watch 'em go!"

Sutter does not see seven little rascals behind his back who are wriggling with laughter like so many malicious sprites under the lofty portico, and gesticulating delightedly at their confederate. He jumps to his feet, draws himself to his full height, says but one word:

"Thanks!"

Then he thrashes the air with his arms and falls like a log.

General Johann August Sutter is dead.

It is three o'clock in the afternoon—the 17th of June, 1880.

It is Sunday, and Congress is not even in session.

The terrified urchins take to their heels.

The hours pass upon the vast deserted square and as the sun sinks the giant shadow of the Capitol covers the body of the general as with a pall.

Chapter *Seventeen*

JOHANN AUGUST SUTTER was seventy-seven years old when he died.

Congress has never pronounced in his case.

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